Now's your chance to speak

and be heard.

SHL

Silver Haired Legislature

Massachusetts

November 16-19, 1980

E. L. MOONEY
173 ORANGE STREET
NANTUCKET, MASS.
02554

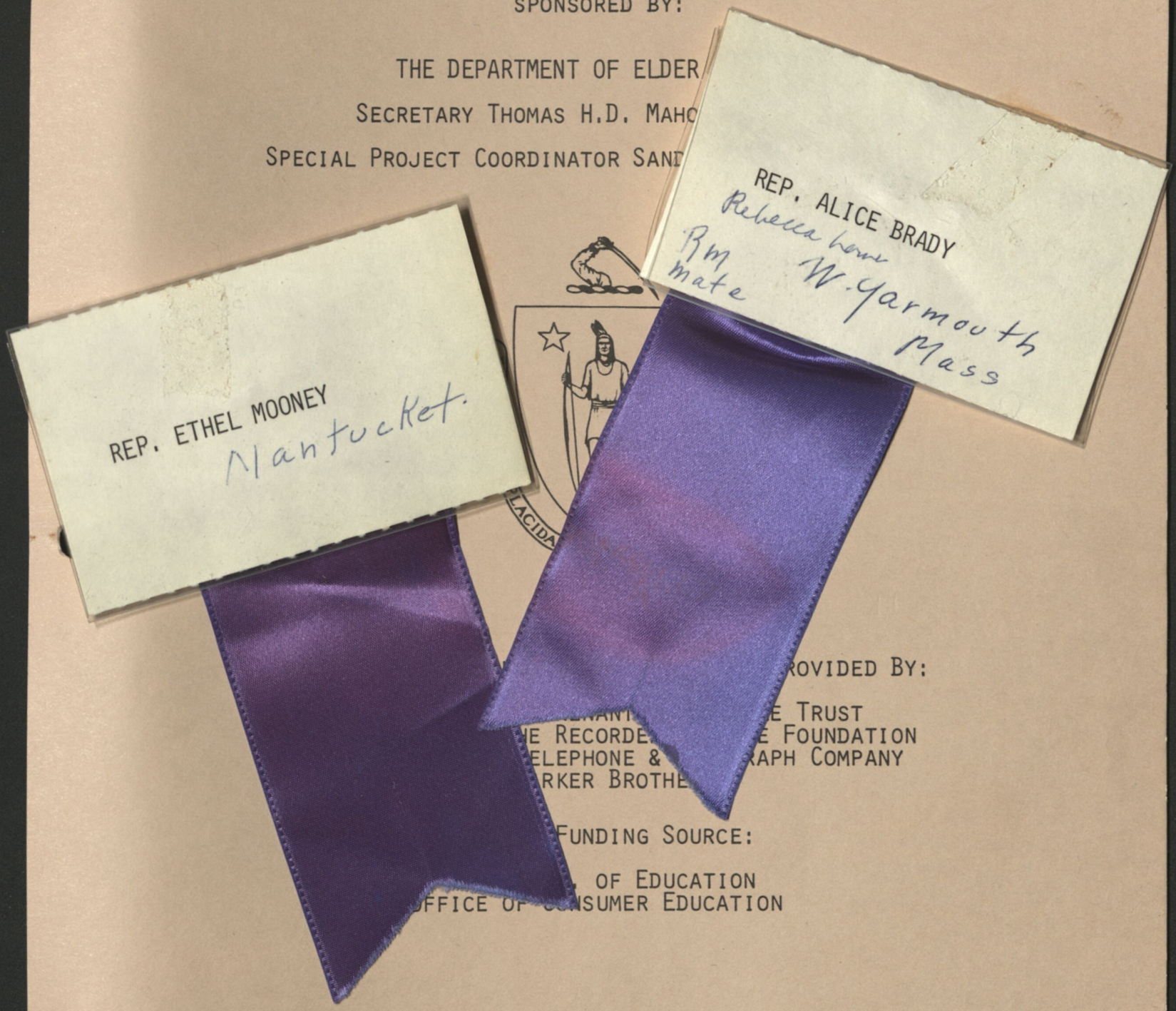
THE 1980 SILVER-HAIRED LEGISLATURE OF MASSACHUSETTS

SPONSORED BY:

THE DEPARTMENT OF ELDER

SECRETARY THOMAS H.D. MAHC

SPECIAL PROJECT COORDINATOR SAND



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PRIVATE FOUNDATION FINANCIAL SUPPORT PROVIDED BY:

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1980.

Ethel L. Mooney.

ODE FOR THE SILVER-HAIRED LEGISLATURE

"YOU ARE OLD, FATHER WILLIAM," THE YOUNG MAN SAID,
"AND YOUR BRAIN SEEMS TO BE A BIT DIM -
DON'T YOU THINK YOU HAD BETTER LEAVE POLITICS
TO THOSE MINDS THAT ARE YOUTHFUL AND TRIM?"

"NOT AT ALL, MY YOUNG FRIEND," CAME THE QUICK REPLY:
"THOUGH MY HAIR MAY BE SILVER ON TOP,
I CONSIDER MY VIEWS ON THE ISSUES
ARE AS GOOD AS THE CREAM OF THE CROP -

"AND I SAY, IF YOU PLEASE, SIR, WITH ALL RESPECT,
THAT I HAVE A FEW TRICKS IN MY BAG
(THE RESULT OF MY YEARS OF EXPERIENCE)
FOR THE GAME OF POLITICAL TAG!"

SO SAYING, THE OLDER MAN TURNED ON HIS HEEL
AND UNLOOSENED WITH RELISH THE STOPPER
THAT HELD BACK A GREAT STACK OF ENACTMENTS
FROM THE SILVER-HAIRED PARLIAMENT'S HOPPER!

E. B. KOVAR
5/6/80

THE MASSACHUSETTS 1980 SILVER-HAIRED LEGISLATURE

AGENDA

SUNDAY, NOVEMBER 16, 1980	12:00N - 2:00P	HOTEL & CONFERENCE REGISTRATION
		HOLIDAY INN GOVERNMENT CENTER COR. OF BLOSSOM & CAMBRIDGE STS. BOSTON, MA.
	2:00P - 4:00P	WELCOME ADDRESS
		THOMAS H.D. MAHONEY, PH.D. SECRETARY DEPARTMENT OF ELDER AFFAIRS
		SPEAKER
		E. BENTLEY LIPSCOMB STAFF DIRECTOR TO U.S. SENATE COMMITTEE ON AGING WASHINGTON, D.C.
		ORIENTATION
		REVIEW OF RULES OR ORDER KITTY HAWK ROOM 15TH FLOOR, HOLIDAY INN
	6:30P -	TRANSPORTATION TO ANTHONY'S PIER 4
		LOBBY, HOLIDAY INN
	7:30P - 10:00P	DINNER - ANTHONY'S PIER 4
		SPEAKER Ex. Par. gracious
		CONGRESSMAN CLAUDE PEPPER HOUSE SELECT COMMITTEE ON AGING
	10:00P	TRANSPORTATION TO HOLIDAY INN
		all OK. Thank God. LOBBY, ANTHONY'S PIER 4

SILVER-HAIRED LEGISLATURE ELECTED DELEGATES FOR 1980

ELECTED OFFICIAL	ALTERNATE OFFICIAL
BERKSHIRE	
RALPH J. FROIO 23 ENSIGN STREET PITTSFIELD, MA	ERNEST GANNETT 9 LAUREL STREET GREAT BARRINGTON, MA
1ST BRISTOL	
ARLINE L. SCOTT 85L COUNTY STREET SEEKONK, MA	N/A
2ND BRISTOL	
JOHN J. ARRUDA 33 WHEELER STREET FALL RIVER, MA	N/A
BRISTOL & PLYMOUTH	
JAMES REEDY 205 SUMMER STREET NEW BEDFORD, MA	RIBELLO CASTALDO 4LL SLOCUM ROAD N. DARTMOUTH, MA
CAPE & ISLANDS	
WINNIFRED L. HINDS P. O. BOX 312 MASHPEE, MA	LEE FRANKL 167 CENTER STREET SO. DENNIS, MA
1ST ESSEX	
JAMES B. BOYNTON 9 WOODLAND AVENUE LYNN, MA	N/A
2ND ESSEX	
JERAHMIEL PROST 3 THERESA ROAD PEABODY, MA	N/A
3RD ESSEX	
GEORGE DRISCOLL 9 CYPRESS AVENUE METHUEN, MA	JOSEPHINE G. DELVA 99 LOWELL AVENUE HAVERHILL, MA

ELECTED OFFICIAL	ALTERNATE OFFICIAL
1ST ESSEX & MIDDLESEX	
HENRY YORRA 201 MAIN STREET ROCKPORT, MA	RALPH M. LEWIS ONE HIGHLAND ROAD MIDDLETON, MA
2ND ESSEX & MIDDLESEX	
PETER E. LUCCHESI 41 MYRTLE STREET LAWRENCE, MA	ANTHONY SAVIANO 15 PURCELL DRIVE BILLERICA, MA
FRANKLIN & HAMPSHIRE	
EDMUND SCHEINOST 18½ ALVORD STREET SOUTH HADLEY	WARREN CRAIG 12 KAREN CIRCLE EASTHAMPTON, MA
HAMPDEN	
RONALD MCLEISH 530 CHAPIN STREET LUDLOW, MA	N/A
1ST HAMPDEN & HAMPSHIRE	
ANNA KOSINSKI 132 VALIER AVENUE CHICOPEE, MA	LEROY F. PATNAUDE 75 CAMBRIDGE STREET CHICOPEE FALLS, MA
2ND HAMPDEN & HAMPSHIRE	
MALFALDA J. ALBANO 95 WOOLWORTH STREET LONGMEADOW, MA	MARION A. MCDONALD 77C OXFORD PLACE WEST SPRINGFIELD, MA
1ST MIDDLESEX	
TADEUZE E. RURAK 200 W. SIXTH STREET LOWELL, MA	N/A

ELECTED OFFICIAL	ALTERNATE OFFICIAL
2ND MIDDLESEX	
JOSEPH A. SADOWSKI 25 HIGHLAND AVENUE SOMERVILLE, MA	LEONTINE J. BARROS 26 COTTING STREET MEDFORD, MA
3RD MIDDLESEX	
ESTHER A. ALLEN 29 MCCORMACK STREET MALDEN, MA	FRANK O. GALLANTE 151 PLEASANT STREET MELROSE, MA
4TH MIDDLESEX	
FRANCIS H. HENDRIGAN 24 CLIFF STREET ARLINGTON, MA	ARTHUR PRATT ONE SALISBURY STREET WINCHESTER, MA
5TH MIDDLESEX	
PAUL F. ALEXANDER ONE CEDAR RIDGE TERRACE BEDFORD, MA	SYLVIA S. HOROWITZ 78 MALCON ROAD BURLINGTON, MA
1ST MIDDLESEX & NORFOLK	
ALBERT HENICK 165 BISHOP DRIVE FRAMINGHAM, MA	N/A
2ND MIDDLESEX & NORFOLK	
AUGUSTA J. ENBINDER 58 RAWSON ROAD BROOKLINE, MA	ALFRED R. GREEN 231 GERRY ROAD CHESTNUT HILL, MA
MIDDLESEX & SUFFOLK	
RAYMOND ROSBOROUGH 18 DAVIS ROAD BELMONT, MA	N/A
MIDDLESEX & WORCESTER	
WILLIAM GREGORY 53 TERESA DRIVE HUDSON, MA	HELEN W. KENT 57 WOODLAND ROAD CONCORD, MA

ELECTED OFFICIAL	ALTERNATE OFFICIAL
NORFOLK	
KATHRYN GUNNING 147 STOUGHTON STREET QUINCY, MA	HENRY W. BROOKS 28 WOODWARD AVENUE QUINCY, MA
NORFOLK, BRISTOL, & MIDDLESEX	
MAUDE E. BALCH 17 ANNON COURT FOXBORO, MA	PHILIP T. CONOR 17 COTTAGE STREET MANSFIELD, MA
NORFOLK & PLYMOUTH	
EDWARD C. BECHERER FOUR PINE RIDGE ROAD COHASSET, MA	N/A
NORFOLK & SUFFOLK	
JOHN J. HANNIGAN 17 BUCKINGHAM STREET READVILLE, MA	EDWARD FREEDMAN 600 LANDSDOWNE WAY NORWOOD, MA
1ST PLYMOUTH	
SADYE ULLIAN 102 OAK LANE - APT. 10 BROCKTON, MA	N/A
2ND PLYMOUTH	
MICHAEL MANUGIAN 16 ALDRICH ROAD WEST BRIDGEWATER, MA	HAROLD VOYE HACKETT AVENUE LAKEVILLE, MA
1ST SUFFOLK	
GEORGE W. SLATTERY 419 OLD COLONY AVENUE SO. BOSTON, MA	PATRICK H. KANE 211 WEST 9TH STREET SO. BOSTON, MA
2ND SUFFOLK	
WILLIAM L. BAGWELL 94 CALLENDER STREET DORCHESTER, MA	FLORENCE MOORE 11 BRADDOCK PARK BOSTON, MA

ELECTED OFFICIAL	ALTERNATE OFFICIAL
SUFFOLK, ESSEX, & MIDDLESEX	
MARY SCRIVANO 134 GARFIELD AVENUE CHELSEA, MA	VICTOR E. DUCA 60 EASTERN AVENUE REVERE, MA
SUFFOLK & MIDDLESEX	
WILLIAM J. FLYNN 150 ERIE STREET - APT. 1008 CAMBRIDGE, MA	JOHN F. DULLAHAN 33 BLOSSOM STREET BOSTON, MA
1ST SUFFOLK & NORFOLK	
ARTHUR J. DRISCOLL TWO ARBORVIEW ROAD JAMAICA PLAIN, MA	N/A
2ND SUFFOLK & NORFOLK	
CHARLES NORTON 567 ASHMONT STREET DORCHESTER, MA	N/A
WORCESTER	
THOMAS J. EARLY 48 HOUSATONIC STREET WORCESTER, MA	WARREN S. SNOW 41 BRIGHTON ROAD WORCESTER, MA
WORCESTER/FRANKLIN/HAMPDEN/HAMPSHIRE	
DOMINIC P. PETRACONE 100 PLEASANT STREET WORCESTER, MA	BAYARD PEABODY 105 SO. MAIN STREET BALDWINVILLE, MA
1ST WORCESTER & MIDDLESEX	
ANNA C. GORMAN SEVEN MAPLE STREET UPTON, MA	N/A
2ND WORCESTER / MIDDLESEX	
CHARLES D. GREENE, JR. 37 BIRD STREET STERLING JCT., MA	RHEAL L. DUPUIS 234 REINGOLD AVENUE FITCHBURG, MA

ELECTED OFFICIAL	ALTERNATE OFFICIAL
WORCESTER/NORFOLK	
VINCENT T. WALSH 234 MARCY STREET SOUTHBRIDGE, MA	ANNA K. BROADHURST 231 MAIN STREET WHITINSVILLE, MA

REPRESENTATIVES

1ST BARNSTABLE	
ALICE BRADY 12 REBECCA LANE SOUTH YARMOUTH, MA A-OK. my roommate.	OREN G. HOWELL 692 AIRLINE ROAD EAST DENNIS, MA
2ND BARNSTABLE	
JACK SNELL 800 BEARSES WAY HYANNIS, MA Leader & grace wife	LOUISE HALLET 98 OAK NECK ROAD HYANNIS, MA
3RD BARNSTABLE Journed	
ANNA M. LOPES THREE LAWRENCE STREET TEATICKIT, MA	HARRY GOULD 58 SACHEM DRIVE SAGAMORE BEACH MA
CAPE & ISLANDS	
ETHEL L. MOONEY 173 ORANGE STREET NANTUCKET, MA	N/A
1ST BERKSHIRE	
JOSEPH F. BANAS FIVE DUBIS STREET ADAMS, MA	N/A
2ND BERKSHIRE	
ELIZABETH I. JONES 67 CHAMPAGNE AVENUE WILLIAMSTOWN, MA	FRANCIS J. CHAREWICZ 28 LONGVIEW STREET LANESBORO, MA

ELECTED OFFICIAL	ALTERNATE OFFICIAL
3RD BERKSHIRE	
PATRICK LEVARDI, JR. 74 LINDEN STREET P.O. BOX 1252 PITTSFIELD, MA	N/A
4TH BERKSHIRE	
JOHN A. BLOOR HIGH STREET P.O. BOX 395 HOUSATONIC	MINERVA P. CUNNITZ 391 WALKER STREET LENOXDALE, MA
1ST BRISTOL	
MARTHA C. SABIN 37 PARKER TERRACE NO. EASTON, MA	N/A
2ND BRISTOL	
HENRY A. YERETSKY 32 LOCUST STREET ATTLEBOROUGH, MA	IRVING PIKE 30 MARY STREET ATTLEBOROUGH, MA
3RD BRISTOL	
MARGARET HIGGINS 63 PLAIN STREET TAUNTON, MA	N/A
4TH BRISTOL	
GEORGE MARSHALL 362 PEARSE ROAD SWANSEA, MA	N/A
5TH BRISTOL	
ROY A. ASHTON 739 PLEASANT STREET SOMERSET, MA	N/A
6TH BRISTOL	
EDWARD PHELAN 17-H ROLLING GREEN FALL RIVER, MA	N/A

ELECTED OFFICIAL	ALTERNATE OFFICIAL
7TH BRISTOL	
NOELLA B. LAVOIE 30 MAPLE GARDENS - APT. C FALL RIVER, MA	N/A
8TH BRISTOL	
JOSEPH LABERGE 39 KEENE STREET FALL RIVER, MA	LEO DUQUETTE 55 MONROE STREET WESTPORT, MA
9TH BRISTOL	
ETHEL S. O'BRIEN 14 HIGH STREET ASSONET, MA	DOROTHY C. BROOKS 322 RUSSELL MILLS ROAD SOUTH DARTMOUTH, MA
10TH BRISTOL	
PATRICK S. GALLAGHER 275 MAIN STREET - APT. 128 FAIRHAVEN, MA	N/A
11TH BRISTOL	
JOSEPH KOCZERA CHAFFEE STREET NEW BEDFORD, MA	N/A
12TH BRISTOL Council on aging	
RAYMOND P. HUBERT 231 MIDDLE STREET - APT. 409 NEW BEDFORD, MA	MARTIN L. SILVERBERG 86 MILL STREET NEW BEDFORD, MA
13TH BRISTOL	
MARY C. HODGE 433 UNION STREET NEW BEDFORD, MA	N/A
14TH BRISTOL	
ALFRED J. FITZPATRICK 67 CARPENTER STREET FOXBORO, MA	BENEDICT V. MCGRATH 58 SCHOOL STREET PLAINVILLE, MA

ELECTED OFFICIAL	ALTERNATE OFFICIAL
1ST ESSEX	
PAUL HUGHES 60 RABBIT ROAD SALISBURY, MA	N/A
2ND ESSEX	
EVELYN M. GREELEY 2 ABBOT STREET MERRIMAC, MA	BERNICE E. ELLIS 78 BILODEAU DRIVE HAVERHILL, MA
3RD ESSEX	
PETER W. LANGE 1326 BROADWAY - RT. 2 HAVERHILL, MA	N/A
4TH ESSEX	
BLANCA E. MERRY 15 PLEASANT STREET IPSWICH, MA	N/A
5TH ESSEX	
MARY E. SWANSON 7 MILL LANE ROCKPORT, MA	N/A
6TH ESSEX	
MARY O'BRIEN 726 HALE STREET BEVERLY FARMS, MA	N/A
7TH ESSEX	
ALICE M. ROBERTS 24 LEEFORT TERRACE SALEM, MA	N/A
8TH ESSEX	
EVA PERETSMAN 289 HUMPHREY STREET SWAMPSCOTT	REGINALD HARTLEY 223 GREEN STREET MARBLEHEAD, MA

ELECTED OFFICIAL	ALTERNATE OFFICIAL
9TH ESSEX	
VINCENT W. DeCAIN 4 MEADOW LANE SAUGUS, MA	BELDEN BLY, JR. 46 AUBURN STREET SAUGUS, MA
10TH ESSEX	
ANNA E. FRANGIER 60 EDGEHILL ROAD LYNN, MA	N/A
11TH ESSEX	
GEORGE T. SPEROPOULOS 74 WATERHILL STREET LYNN, MA	N/A
12TH ESSEX	
LOU ANASTAS 20 CARDINA ROAD DANVERS, MA	N/A
13TH ESSEX	
EVETTE M. McELROY 12 CROWNINSHIELD ROAD PEABODY, MA	RUSSELL MUSGRAVE 12 CROWNINSHIELD ROAD PEABODY, MA
14TH ESSEX	
DOMINIC CANTONE 11 SPRUCE STREET - APT. 19 NORTH ANDOVER, MA	ANGELO LoPIANO 62 AUTRAM AVENUE NORTH ANDOVER, MA
15TH ESSEX	
RAYMOND W. BACHMANN 24 ALBION STREET METHUEN, MA	N/A
16TH ESSEX	
MARY E. O'NEILL 13 SWAN STREET LAWRENCE, MA	ANTHONY PLACIDO 35 LEROY STREET LAWRENCE, MA

ELECTED OFFICIAL	ALTERNATE OFFICIAL
17TH ESSEX	
THOMAS F. POWERS 118 RATTLESNAKE HILL ROAD ANDOVER, MA	N/A
1ST FRANKLIN	
RAY T. KEYES WELLS STREET DEERFIELD, MA	RODERICK L. LIVELY SUNRISE FARMS COLRAIN, MA
2ND FRANKLIN	
ANN V. TRUMBLE 88 FERRANTE AVENUE GREENFIELD, MA	N/A
1ST HAMPDEN	
RAMONA M. FRANCES APT. 146 STATE STREET MONSON, MA	N/A
2ND HAMPDEN	
GEORGE FLANAGAN 82 MASSACHUSETTS AVENUE LONGMEADOW, MA	JOSEPH P. CURRAN 14 RIVERVIEW AVENUE LONGMEADOW, MA
3RD HAMPDEN	
ANNA ST. JOHN 555 MILL STREET FEEDING HILLS, MA	JOSEPHINE M. OEHLERS 45 SILVER STREET AGAWAM, MA
4TH HAMPDEN	
GERALD BOYLAN 131 FRANKLIN STREET WESTFIELD, MA	N/A
5TH HAMPDEN	
ARTHUR L. LEDUC 296 OAKS STREET - APT. 1-A HOLYOKE, MA	N/A

ELECTED OFFICIAL	ALTERNATE OFFICIAL
6TH HAMPDEN	
BEFREA R. K. THOMAS 539 UNION STREET WEST SPRINGFIELD, MA	CHARLES E. GILBERT 42 MURRAY PLACE WEST SPRINGFIELD, MA
7TH HAMPDEN	
BEATRICE BEAUREGARD 44 CENTER STREET LUDLOW, MA	EDWARD C. BRUNELLE 716 CHAPIN STREET LUDLOW, MA
8TH HAMPDEN	
SABINA PARKER 75 SIXTH AVENUE CHICOPEE, MA	ELIZABETH M. O'CONNELL 30 ALFRED STREET CHICOPEE, MA
9TH HAMPDEN	
JOHN L. HATCHER 320 STAFFORD STREET SPRINGFIELD, MA	JERRY A. PANDOLPHI 39 BIELLA STREET SPRINGFIELD, MA
10TH HAMPDEN	
JULIA SLOANE 80 TRAFTON ROAD SPRINGFIELD, MA	JOSEPH A. GARDE 36 DERRYFIELD AVENUE SPRINGFIELD, MA
11TH HAMPDEN	
ROMEO J. CYR 778 GRAYSON DRIVE SPRINGFIELD, MA	ELLIOT JAMES 110 LLOYD AVENUE SPRINGFIELD, MA
12TH HAMPDEN	
ARTHUR E. ROSS 71 HARTFORD TERRACE SPRINGFIELD, MA	WILLIAM TAYLOR, 11 15 GERARD AVENUE SPRINGFIELD, MA
13TH HAMPDEN	
HELEN G. THEOCLES 75 ROCKFORD CIRCLE SPRINGFIELD, MA	IRVING P. COHN 75 BIRCHLAND AVENUE SPRINGFIELD, MA

ELECTED OFFICIAL	ALTERNATE OFFICIAL
1ST HAMPSHIRE	
FRANCES NICHOLS 113 NONOTUCK STREET NORTHAMPTON, MA	N/A
2ND HAMPSHIRE	
HAROLD F. BROCHU 10 LANDERS STREET SOUTH HADLEY, MA	N/A
3RD HAMPSHIRE	
ANNETTE CAMBO JABISH STREET - MILL HOLLOW APTS. BELCHERTOWN, MA	MURIEL CRAMP 31 CHESTNUT COURT AMHERST, MA
1ST MIDDLESEX	
CHESTER J. PLISKA 337 WHALOM ROAD LUNENBERG, MA	N/A
2ND MIDDLESEX	
LOUIS M. STOFFEL 46 DAHLIA DRIVE LITTLETON, MA	LOUIS H. RESSIJAC 20 LINCOLN STREET AYER, MA
3RD MIDDLESEX	
LILLIAN LASHUA 32 PLANT AVENUE HUDSON, MA	N/A
4TH MIDDLESEX	
RALPH O'COIN 18 CHURCH STREET MARLBORO, MA	N/A
5TH MIDDLESEX	
ROY E. WYMAN 20 PLAIN STREET NATICK, MA	N/A

ELECTED OFFICIAL	ALTERNATE OFFICIAL
6TH MIDDLESEX	
EUGENE COSTA 33L CONCORD STREET FRAMINGHAM, MA	N/A
7TH MIDDLESEX	
EVELYN LANGLEY 26 AMERICA STREET FRAMINGHAM, MA	N/A
8TH MIDDLESEX	
DWIGHT E. ADAMS 22 MILLER STREET MEDFIELD, MA	N/A
9TH MIDDLESEX	
GLADYS YONT 542 MAIN STREET WALTHAM, MA	N/A
10TH MIDDLESEX	
CHARLES E. CHASE 230 AUBURNDALE AVENUE AUBURNDALE, MA	VERA E. LOFTUS 92 CLEVELAND STREET WEST NEWTON, MA
11TH MIDDLESEX	
HERBERT H. SOBOL 146 LANGLEY ROAD NEWTON, MA	N/A
12TH MIDDLESEX	
VIOLA JACOBS 160 STANTON AVENUE AUBURNDALE, MA	HAROLD S. WILLIAMS 143 NISHOBE ROAD WABAN, MA
13TH MIDDLESEX	
CLIFFORD BOWLES LEXINGTON ROAD LINCOLN, MA	N/A

ELECTED OFFICIAL	ALTERNATE OFFICIAL
14TH MIDDLESEX	
MARIANNE MAGUIRE 14 REVOLUTIONARY ROAD ACTON, MA	N/A
15TH MIDDLESEX	
GLADYS A. SCANLON 62 LEDGELAWN AVENUE LEXINGTON, MA	N/A
16TH MIDDLESEX	
H. CHADBOURNE WARD 270 LITTLERON ROAD CHELMSFORD, MA	N/A
17TH MIDDLESEX	
OLIVER GAUDET 204 PLEASANT STREET DRACUT, MA	ALEXINA HOUDE 60 SCHOOL STREET - APT. 202 DRACUT, MA
18TH MIDDLESEX	
HELEN McCLEAN 137 HIGH STREET LOWELL, MA	N/A
19TH MIDDLESEX	
MICHAEL D. CONNORS 26 CEDAR STREET LOWELL, MA	N/A
20TH MIDDLESEX	
WILLIAM F. STROB, SR. MYSTIC AVENUE WILMINGTON, MA	N/A
21ST MIDDLESEX	
ESTHER D. STONE 625 MAIN STREET - APT. 8 READING, MA	N/A

ELECTED OFFICIAL	ALTERNATE OFFICIAL
22ND MIDDLESEX	
EDWARD T. SHEEHAN 19 DANIEL ROAD WAKEFIELD, MA	N/A
23RD MIDDLESEX	
PAULA LEWELLEN 145 DAVIS ROAD BEDFORD, MA	HELEN W. HUMPHREY 20 CATHY ROAD BURLINGTON, MA
24TH MIDDLESEX	
ROSE MACKENZIE 46 WYMAN ROAD BILLERICA, MA	ODILE B. MAILHIOT 13 RIVER STREET, BLDG. 7, APT. 4 BILLERICA, MA
25TH MIDDLESEX	
DANIEL A. PURCELL 90 STOWECROFT ROAD ARLINGTON, MA	N/A
26TH MIDDLESEX	
PEARL M. ROSBOROUGH 18 DAVIS ROAD BELMONT, MA	N/A
27TH MIDDLESEX	
MARY B. SAMP 33 AGASSIZ STREET CAMBRIDGE, MA	N/A
28TH MIDDLESEX	
GUSTAVE SOLOMONS 85 INMAN STREET CAMBRIDGE, MA	EVERTON JOHNSON 23 MAGEE STREET CAMBRIDGE, MA
29TH MIDDLESEX	
ELIZABETH CRUTCHFIELD 237 FRANKLIN STREET - APT. 17K CAMBRIDGE, MA	MILDRED RUDOLPH 15 LAMBERT STREET CAMBRIDGE, MA

ELECTED OFFICIAL	ALTERNATE OFFICIAL
30TH MIDDLESEX	
WILLIAM P. HEFFERNAN 57 HIGHLAND ROAD SOMERVILLE, MA	SAM SHAPIRO 1374 BROADWAY - APT. 50 SOMERVILLE, MA
31ST MIDDLESEX	
JOHN SOUZA 252 MEDFORD STREET SOMERVILLE, MA	N/A
32ND MIDDLESEX	
RUTH A. MCBRIDE 55 WAVERLY AVENUE WATERTOWN, MA	MARION LEONE 201 E. BOYLSTON STREET WATERTOWN, MA
33RD MIDDLESEX	
ROCCO W. DETESO 11 LAKE AVENUE WOBURN, MA	JOHN E. O'NEIL COUNTRY CLUB HEIGHTS 3 REHABILITATION WAY WOBURN, MA
34TH MIDDLESEX	
JESSIE PRATT 1 SALISBURY STREET WINCHESTER, MA	N/A
35TH MIDDLESEX	
HAROLD A. SULLIVAN 10 MERIDAN STREET MELROSE, MA	ELLA M. CLARK 3 PARKER CHASE ROAD STONEHAM, MA
36TH MIDDLESEX	
JOHN F. DRUMMEY 14 HARTSHORN AVENUE MALDEN, MA	ALTHEA BELL 132 ALDEN STREET MALDEN, MA
37TH MIDDLESEX	
MARY FALCONE 49 HIGHLAND COURT MALDEN, MA	N/A

ELECTED OFFICIAL

38TH MIDDLESEX

JAMES P. HIGGINS
121 RIVERSIDE AVENUE
MEDFORD, MA

CHARLES C. ROSSETTI
99 RIVERSIDE AVENUE - APT. 410
MEDFORD, MA

39TH MIDDLESEX

SAMUEL GENTILE
223 CENTRAL AVENUE
EVERETT, MA

N/A

1ST NORFOLK

BLASE J. DELOLLIS
1025 HANCOCK STREET - APT. 14J
QUINCY, MA

N/A

2ND NORFOLK

THOMAS E. WOOD
81 KEMPER STREET
QUINCY, MA

THOMAS KENNEY
28 QUINCY STREET
QUINCY, MA

3RD NORFOLK

ELMER ANDERSON
109 CURTIS AVENUE - APT. 202
QUINCY, MA

N/A

4TH NORFOLK

GEORGE F. KEATING
51 BROAD REACH
WEYMOUTH, MA

N/A

5TH NORFOLK

EDWARD J. MORRISSEY
61 SAGAMORE STREET
BRAINTREE, MA

SOPHIE M. ROTMAN
47 SKYLINE DRIVE - APT. 3
BRAINTREE, MA

6TH NORFOLK

TOBIAS LEVINE
45 WILL DRIVE
CANTON, MA

JOSEPH F. VALLELY
14 ROBERTS ROAD
CANTON, MA

ELECTED OFFICIAL	ALTERNATE OFFICIAL
7TH NORFOLK	
SALVATORE J. RE 68 ANTWERP STREET MILTON, MA	N/A
8TH NORFOLK	
JOHN LEWIS 2 WATER STREET STOUGHTON, MA	N/A
9TH NORFOLK	
RUSSELL J. QUIST 48 OAK STREET WALPOLE, MA	PRESCOTT N. WHYTE 4B GORDEN LANE WRENTHAM, MA
10TH NORFOLK	
LEO DUBOIS WRENTHAM MANOR - APT. 15 BELLINGHAM, MA	N/A
11TH NORFOLK	
EDWARD J. MURPHY 58 JUNIPER RIDGE ROAD WESTWOOD, MA	HUGH WYMAN HOWARD 71 MAYFAIR DRIVE WESTWOOD, MA
12TH NORFOLK	
JOHN B. COLLINS 151 WICKHAM WAY NORWOOD, MA	N/A
13TH NORFOLK	
ALBERT L. MARSHALL 58 FALCON STREET NEEDHAM, MA	EMORY C. MOWER 51 YORKSHIRE ROAD DOVER, MA
14TH NORFOLK	
BERNARD A. TORRI 2 WOODFIELD ROAD WELLESLEY, MA	N/A

ELECTED OFFICIAL	ALTERNATE OFFICIAL
15TH NORFOLK	
MAURICE DAVIS 1550 BEACON STREET BROOKLINE, MA	ARTHUR ECKMAN 38 VILLAGE WAY BROOKLINE, MA
1ST PLYMOUTH	
Leo GENEVIEVE M. ASH 160 SANDERSON DRIVE PLYMOUTH, MA 02360	ANN WHITE 20 SUMMER STREET KINGSTON, MA
2ND PLYMOUTH	
JANE BEATON BOURNE POINT WAREHAM, MA	LUCIANO J. MACIEL 58 KIMBERLY STREET - BOX 585 WAREHAM, MA
3RD PLYMOUTH	
CUMMINGS M. GIARDINO 48 ROCKWOOD ROAD HINGHAM, MA	N/A
4TH PLYMOUTH	
JOHN J. MOCCIA 875 FERRY STREET MARSHFIELD, MA	N/A
5TH PLYMOUTH	
Son Nan KENNETH J. KELLEY 275 WASHINGTON STREET HANOVER, MA	N/A
6TH PLYMOUTH	
DOROTHY L. EMMETT 49 WEST STREET PEMBROKE, MA	N/A
7TH PLYMOUTH	
PETER G. COSINDAS 15 WOODLAWN AVENUE HOLBROOK, MA	N/A

ELECTED OFFICIAL	ALTERNATE OFFICIAL
8TH PLYMOUTH	
MARIE HOLMES RAY 17 CENTRAL SQUARE BRIDGEWATER, MA	N/A
9TH PLYMOUTH	
ANTHONY DELEO 256 SPRING STREET BROCKTON, MA	N/A
10TH PLYMOUTH	
RAYMOND E. CHACE 281 SPRING STREET WEST BRIDGEWATER, MA Elected. Chairman.	N/A
11TH PLYMOUTH	
ELINOR JUDGE BELAIR TOWERS - APT. 305 BROCKTON, MA	N/A
1ST SUFFOLK	
FLORENCE G. GINEPRA 2 FR. JACOBBY ROAD EAST BOSTON, MA	ANNE FARETRA 25 PRINCETON STREET EAST BOSTON, MA
2ND SUFFOLK	
EDWARD GREENBURG 33 CLARK AVENUE CHELSEA, MA 2nd. co chairman	N/A
3RD SUFFOLK	
MARIE FERNANDES 11 EAST NEWTON STREET BOSTON, MA	EDNA F. GREELEY 33 BLOSSOM STREET BOSTON, MA
4TH SUFFOLK	
BILL O'LEARY 298 "K" STREET SOUTH BOSTON, MA	SALVATORE CIULLA 11 MITCHELL STREET SOUTH BOSTON, MA

ELECTED OFFICIAL	ALTERNATE OFFICIAL
5TH SUFFOLK	
GENEVIEVE P. STRUZIK 2 LEEDS STREET SOUTH BOSTON, MA	N/A
6TH SUFFOLK	
NO CANDIDATES	
7TH SUFFOLK	
WALTER E. SAUNDERS 29 O'BRIEN PLACE ROXBURY, MA	EFFIE HOWARD 3 PAGE STREET DORCHESTER, MA
8TH SUFFOLK	
ROY KNOX 54 MELROSE STREET BOSTON, MA	N/A
9TH SUFFOLK	
ALYCE M. JOHNSON 755 TREMONT STREET BOSTON, MA	N/A
10TH SUFFOLK	
HARRY BINDER 24 KINGSLAND ROAD WEST ROXBURY, MA	GRACE H. LEBEAU 30 ROCKINGHAM AVENUE - APT. 4L4 WEST ROXBURY
11TH SUFFOLK	
ELIZABETH TUTELIAN 21 HOLBROOK STREET BOSTON, MA	N/A
12TH SUFFOLK	
JOHN B. BLOTTO 599 SOUTH STREET ROSLINDALE, MA	N/A

ELECTED OFFICIAL	ALTERNATE OFFICIAL
13TH SUFFOLK	
NO CANDIDATES	
14TH SUFFOLK	
HELEN M. BARRETT 151 HALLET STREET DORCHESTER, MA	N/A
15TH SUFFOLK	
NORMAN E. WARD 705 RIVER STREET MATTAPAN, MA	N/A
16TH SUFFOLK	
JACK WIGON 150 CLARE AVENUE HYDE PARK, MA	SAMUEL HERSHENSON 117 MARGARETTA DRIVE HYDE PARK, MA
17TH SUFFOLK	
JOHN T. LOPES 40 FRANCIS STREET BOSTON, MA	N/A
18TH SUFFOLK	
✓ CORNELIA CURTIS 39 BEECHCROFT STREET BRIGHTON, MA	N/A
19TH SUFFOLK	
ELIZABETH HANLON 290 NORTH HARVARD STREET ALLSTON, MA	N/A
20TH SUFFOLK	
✓ ABRAHAM S. COHEN 1 POND STREET WINTHROP, MA	N/A

ELECTED OFFICIAL	ALTERNATE OFFICIAL
21ST SUFFOLK	
BRIDGET RANNO 61 KINGMAN AVENUE REVERE, MA	N/A
1ST WORCESTER	
ERNESTINE JALONEN 110 OLD PRINCETON ROAD HUBBARDSTON, MA	MARGARET E. MITCHELL 33 BATTLES ROAD WESTMINSTER, MA
2ND WORCESTER	
CHRISTINE CHRISTIANSEN 1 RUSSELL HILL ROAD ASHBURNHAM, MA	CHARLES A. FRENIER BOX 462 RFD GARDNER, MA
3RD WORCESTER	
NONA E. GREENWOOD 520 MAIN STREET - APT. 206 FITCHBURG, MA	N/A
4TH WORCESTER	
ELTON KULLMAN 709 MAIN STREET LEOMINSTER, MA	N/A
5TH WORCESTER	
SISTER DORILDA FLYNN ANNA MARIA COLLEGE PAXTON, MA	FRANCIS J. BANSFIELD COMMON STREET BROOKFIELD, MA
6TH WORCESTER	
FRED W. MURKLAND BURLINGAME ROAD CHARLTON, MA	N/A
7TH WORCESTER	
LOUISE McGEE 13 WHEELOCK AVENUE MILLBURY, MA	N/A

Sat mail me

Nona E. Greenwood
Good Luck.

Sent to Roy check.

Elected Official	Alternate Official
8th Worcester	
Ona C. Fleet Martin Road East Douglas, MA	N/A
9th Worcester	
Pauline M. Dion 156 Providence Road Linwood, MA	N/A
10th Worcester	
Adam F. Diorio 12 Clafin Street Milford, MA	Edward Desrosiers 93 Elm Street Upton, MA
11th Worcester	
Joseph Dyer 10 Edgemore Boulevard Shrewsbury, MA	N/A
12th Worcester	
Esther E. Poulin 7 High Street - Apt. 2 Clinton, MA	N/A
13th Worcester	
Mary C. Troy 19C Mill Pond Road Worcester, MA	N/A
14th Worcester	
Agnes R. Sheehan 8 Dorothy Avenue Worcester, MA	N/A
15th Worcester	
Francis J. Langton 425 Pleasant Street Worcester, MA	Richard B. Schuyler 51 John Street Worcester, MA

ELECTED OFFICIAL	ALTERNATE OFFICIAL
16TH WORCESTER	
HELEN COURTNEY 33 COLTON STREET WORCESTER , MA	N/A
17TH WORCESTER	
SARA RENAULT 1050 MAIN STREET WORCESTER, MA	N/A

RULES FOR THE

MASSACHUSETTS SILVER-HAIRED LEGISLATURE

GENERAL ASSEMBLY AGENDA

Daily Order of Business:

I. Roll call

II. Prayer

III. Pledge of Allegiance

IV. Receiving of communications

V. Consideration of messages from opposite Chamber

VI. Report of Standing Committees

VII. Unfinished business

VIII. Consideration of bills and joint resolutions within each order of business shall be considered in the order in which they appear on the calendar.

Section 1.0 Procedure for Assembly:

1.1 Quorum - a majority of the members elected to the House and Senate seated at the opening session shall constitute a quorum.

1.2 Recognition From Chair - when any member desires to speak to deliver any matter to the assembly, he shall rise at his seat and respectfully address the Chair as "Mr. President" (Senate) or "Mr. Speaker" (House).

1.3 The Chair States: (The Chair may then recognize the senator or representative by stating) "For what purpose does the Senator or Representative from _____ arise?"

1.4 Response from the Senator or Representative:
"Mr. President (Senate), Mr. Speaker (House)."

"I RISE TO"

a. "Inquire of the 'Senator'. 'Representative' _____."
b. "Speak on the Bill."

c. "Offer an amendment."
d. "Rise to a point of order."
e. "Inquire of the Chair."
f. "Introduce guest."
g. "Lay on the table."
h. "To adjourn."

(See common forms of motions)

1.5 Motion - action on the floor of a legislative chamber results from a member "moving" to do this or that.

Section 2.0 Procedure for Presiding Officers of Senate and House:

2.1 A President of the Senate and Speaker of the House will be elected at the organization session. They are to continue in office until their successors are chosen the following year.

2.2 The President of the Senate and Speaker of the House shall call the Senate and House to order, as the case may be, at the hour provided by printed agenda to the 1980 Silver-Haired Legislature.

2.3 The President of the Senate and Speaker of the House shall preserve order and decorum and shall have general control of the Chamber.

2.4 The President of the Senate and Speaker of the House shall decide all questions of order subject to an appeal by any member.

2.5 A) The President of the Senate may at any time leave the chair and designate any senator to preside in his place.

B) The Speaker of the House shall have the right to name any member as the chair, but such substitution shall not extend beyond one day of the legislative session.

2.6 When the Senate or House is ready to vote upon a question, the presiding officer shall state: "The question is on (designating the matter to be voted upon). All in favor of such question shall vote 'Yea', and all opposed shall vote 'Nay'. The Chamber will now proceed to vote." When sufficient time has elapsed for each senator/member to vote, the president officer shall say "Have all voted?" After a short pause "The Clerk shall now lock the machines and record the vote."

2.7 When two or more members wish to rise to speak at the same time, the Chair shall ascertain their purposes and then name who shall speak first, and other members having preference to speak as designated.

2.8 The President of the Senate and Speaker of the House shall sign all bills passed by the house over which he/she presides.

Section 3.0 Procedure for Members of the Senate and House

VOTING

3.1 Unless excused for just cause, every senator and representative shall vote on each question. No senator or representative shall be permitted to vote on any question immediately concerning his private interest as distinct from the public interest.

IMMEDIATELY CERTIFY

3.2 Each bill, when passed by the full assembly of either chamber, will be immediately certified and rushed to opposite chamber for passage.

DECORUM AND DEBATE

3.3 No senator or member of the House shall speak more than five (5) minutes on a bill or resolution except by consent of the majority of legislators present.

3.4 Debate on each bill is limited to thirty (30) minutes including the time allotted the author or sponsor. At the end of thirty (30) minutes, the vote shall be taken on the bill and all pending amendments. Additional five (5) minutes shall be given before the vote for the person speaking for the bill to give the final presentation.

3.5 When any member is to speak in debate or deliver any matter to the session, he shall address himself to "Mr. President" or "Mr. Speaker", as the case may be.

3.6 The rights to the floor of a member shall not be challenged after he has proceeded with his remarks, except by rising to a question of order, parliamentary inquiry, question of privilege or to a question of the existence of a quorum.

3.7 When a member has the floor and another member interrupts to request recognition, the chairman may permit the person rising to state why he desires the floor. If the question he desires to raise is entitled to precedence, the member originally speaking shall relinquish the floor until the question having precedence is disposed of. He is then entitled to resume the floor.

3.8 All amendments to bills must be taken up while the bill is in committee.

Section 4.0 COMMON FORMS OF MOTIONS

4.1 TABLE - In legislative parlance, "laying" something on "the table" usually means disposing of the matter for the legislative session. A motion to "lay on the table" has usually final disposition, but it is possible to take from the table by a two-thirds vote.

4.2 AMENDMENTS - "To offer an amendment," the act of amending a bill is a two-part process: a motion and a piece of paper filed with clerk's office outlining the amendment.

4.3 COMPANION BILL - To substitute when both bills are same:

"Mr. President/Mr. Speaker, I move that Bill No. _____, a companion measure be substituted for and considered in lieu of Bill No. _____."

4.4 PREVIOUS QUESTIONS - To end debate and bring on a vote.

"Mr. President/Mr. Speaker, I move the previous question on the passage of the Bill."

4.5 INDEFINITELY POSTPONE - To kill the bill.

"Mr. President/Mr. Speaker, I move Bill No. _____ be indefinitely postponed."

4.6 POINT OF ORDER - A member is challenging either what is happening or what he thinks is about to happen.

"Mr. President/Mr. Speaker, point of order."

4.7 APPEAL - A legislator may challenge any ruling of the presiding offider by appealing to the body to over-ride the decision.

4.8 TO ADJOURN - A motion to adjourn or recess is always in order and may be made by any member, but in actual practice is made by the floor leaders.

Section 5.0 Procedures to Make a Motion

5.1 When a motion is made it shall be stated by the Chair.

5.2 When a question is under debate the presiding officer shall receive no motion except:

a. to adjourn
b. to recess
c. to lay on the table
d. reconsider
e. for a previous question
f. to postpone
g. to commit to the committee
h. to amend
i. to amend by striking out the enacting clause.

5.3 Motions which can be made but once are motions to adjourn or recess.

5.4 When a question has been decided a motion may be made for reconsideration by a member of the prevailing side. Consideration of a motion to reconsider shall be a special and continuing order of business.

Section 6.0 Procedures for Committees

6.1 The standing committees of the Senate and House of the Silver-Haired Legislature are:

a. Commerce
b. Education
c. Health
d. Human Services and Elderly Affairs
e. General Legislation
f. Ways and Means

6.2 A majority of committee members seated at the opening of business constitutes a quorum for transaction of committee business.

6.3 Eash committee will elect a chair and a vice chairperson. The chairperson will also hold a seat on the Rules and Calendar Committee.

6.4 The printed agenda of the Silver-Haired Legislature carries the time of the regularly scheduled committee meetings. Announcements of any special or called committee shall be read from the Senate Secretary's or House Clerk's desk.

6.5 All bills shall be referred to a committee and no bills shall be considered for final passage unless they have been reported on by a committee of either side of the house.

6.6 Recommendations by the majority of members in the committee shall be referred for the record on one of the following recommendations: "Do pass," "Do not pass," or "Without recommendation," "Pass with amendments."

6.7 All legislation to be introduced shall be received at the Department of Elder Affairs no later than October 24, 1980. No bills will be accepted during the 1980 Session of the Silver-Haired Legislature.

6.8 When a committee recommends that a bill be passed with amendments or proposes a committee substitute, the proposed committee substitute shall first be considered and then the amendments.

6.9 No bill will be amended in its passage through the general assembly to change its original purpose.

6.10 If either body refuses to concur in amendments placed on a bill by the other body, then any member may request a conference to adjust the differences of the two houses. Failure to make such a request postpones consideration of the bill indefinitely.

6.11 A motion to have a bill placed on the calendar despite an adverse committee report must be made at the time the bill is reported from committee and if no action is taken at this time, the bill shall lie on the table.

6.12 The reading of the bill by its title is deemed sufficient.

6.13 No bill shall be finally passed except by a majority vote of the elected members of each house.

6.14 An amendment to a bill may be received prior to the debate on the floor and must be submitted in writing to the Senate Secretary or House Clerk.

Section 7.0 Procedure for Rules

7.1 Interpretation of Rules - It shall be the duty of the presiding officer to interpret all rules.

7.2 Waiver and suspension of the Rules - These rules shall not be waived or suspended except by a two-thirds (2/3) vote of all.

7.3 In cases not provided for in these rules, Robert's Rules of Order Revised.

SILVER-HAIRED LEGISLATURE

437

COMMITTEE ON EDUCATION AND HOUSING

SENATORS

Edmund Scheinost - South Hadley
Arline L. Scott - Seekonk
Jeralmiel Prost - Peabody
Peter E. Lucchesi - Lawrence
Thomas J. Early - Worcester
William J. Flynn - Cambridge

REPRESENTATIVES

Ruth A. McBride - Watertown
Romeo J. Cyr - Springfield
Anthony DeLeo - Brockton
John A. Bloor - Housatonic
Frances C. Nichols - Northampton
Agnes R. Sheehan - Worcester
Sr. Dorilda Flynn - Paxton
Elizabeth I. Jones - Williamstown
Margaret Higgins - Taunton
Lou Anastas - Danvers
Gerald Boylan - Westfield
Julia Sloane - Springfield
Helen McClean - Lowell
Elmer Anderson - Quincy
Edward J. Murphy - Westwood
John B. Blotto - Roslindale
Marrianne Maguire - Acton
John F. Drummey - Malden
Leo DuBois - Bellingham
Bernard A. Torri Wellesley
Elizabeth Hanlon - Allston
Patrick Levardi, Jr. - Pittsfield
Thomas F. Powers - Andover
Beatrice Beauregard - Ludlow
Eleanor Garrity - Medford
John Lewis - Stoughton
Walter E. Saunders - Roxbury

SILVER-HAIRED LEGISLATURE

GENERAL LEGISLATION

427

SENATORS

William L. Bagwell - Dorchester ✓
Mary Scrivano - Chelsea ✓
Ralph J. Froio - Pittsfield
Arthur J. Driscoll ✓ Jamaica Plain
William H. Gregory - Hudson
Ronald McLeish - Ludlow
Edward C. Becherer - Cohasset

REPRESENTATIVES

Charles E. Chase - Auburndale ✓
Blase J. DeLollis - Quincy
Edward Greenberg - Chelsea ✓
Ray T. Keyes - Deerfield
Raymond P. Hubert - New Bedford
Sara Renault - Worcester
Cornelia B. Curtis - Brighton ✓
Evelyn M. Greeley - Merrimac
Pearl M. Rosborough - Belmont
Jessie Pratt - Winchester
Ralph A. O'Coin - Marlboro
Harold A. Sullivan - Melrose
Edward J. Morrisey - Braintree
Edward Phelan - Fall River
Alice M. Roberts - Salem
Dominic Cantone - North Andover
Arthur L. Leduc - Holyoke
Helen G. Theocles - Springfield
John Souza - Somerville
Albert L. Marshall - Needham
Elizabeth Tutelian - Boston
Adam F. Diorio - Milford
Peter G. Cosindas - Holbrook
Samuel Gentile - Everett
Chester J. Pliska - Lunenberg
George T. Speropoulos - Lynn

SILVER-HAIRED LEGISLATURE

HEALTH

222

SENATORS

Francis H. Hendrigan - Arlington
John J. Hannigan - Readbille
Esther A. Allen - Malden
Tadeusz E. Rurak - Lowell
George Ryan - Framingham
James Reedy - New Bedford ✓
Paul F. Alexander - Bedford

REPRESENTATIVES

John T. Lopes - Boston
Rocco W. DeTeso - Woburn
Vincent W. DeCain - Saugus
Martha Sabin - North Easton
Bridget Ranno - Revere
Annette J. Cambo - Belchertown
Lillian M. Lashua - Hudson
Mary E. O'Neill - Lawrence ✓
Tobias Levine - Canton
Helen M. Barrett - Dorchester ✓
William P. Heffernan - Somerville
Gladys Yont - Waltham
Esther E. Poulin - Clinton
Roy A. Ashton - Somerset
Patrick S. Gallagher
Roy Wyman - Natick
Roy Knox - Boston
Paula Lewellen - Bedford ✓
James P. Higgins - Medford
Maurice Davis - Brookline
Norman E. Ward - Mattapan
Helen Courtney - Worcester
Harry Binder - West Roxbury
Raymond W. Bachmann - Methuen
George F. Keating - Weymouth
Henry A. Yeretsky - Attleborough

SILVER-HAIRED LEGISLATURE

HUMAN SERVICES AND ELDER AFFAIRS

235

SENATORS	REPRESENTATIVES
Kathryn Gunning - Quincy	Thomas E. Wood - Quincy
George W. Slattery - South Boston	Gladys A. Scanlon - Lexington
Augusta J. Enbinder - Brockton	John R. Snell - Hyannis = Council on aging meals wheels
Maude E. Balch - Foxboro	Edward T. Sheehan - Wakefield
Joseph A. Sadowski - Somerville	Jane Beaton - Wareham
Sayde Ullian - Brockton	Christine Christiansen - Ashburnham
Charles D. Greene, Jr. - Sterling Jct.	Mary E. Swanson - Rockport
	Elizabeth Crutchfield - Cambridge
	Joseph Koczera - New Bedford
	Albert J. Fitzpatrick - Foxboro
	William F. Strob, Jr. - Wilmington
	William J. O'Leary - South Boston
	Mary O'Brien - Beverly Farms
	Befrea R. K. Thomas - West Springfield
	Oliver Gaudet - Dracut
	Louise M. McGee - Millbury
	Dorothy L. Emmett - Pembroke
	Esther D. Stone - Reading
	Peter W. Lange - Haverhill
	Joseph Dyer - Shrewsbury
	Jack Wigon - Hyde Park
	Clifford Bowles - Lincoln
	Paul F. Hughes - Salisbury
	Elton Kullman - Leominster
	Ona C. Fleet - East Douglas
	E. E. Jalonen - Hubbardston

SILVER-HAIRED LEGISLATURE

WAYS AND MEANS

136

SENATORS	REPRESENTATIVES
Raymond A. Rosborough - Belmont	Joseph F. Banas - Adams
James B. Boynton - Lynn	Kenneth J. Kelley - Hanover
Winifred L. Hinds - Mashpee	Ethel S. O'Brien - Assonet
Anna C. Gorman - Upton	Herbert H. Sobol - Newton
Henry Yorra - Rockport	Anna M. Lopes - Teaticket
Charles Norton -	Noella B. Lavoie - Fall River
Michael Manugian - W. Bridgewater	Genevieve M. Ash - Plymouth
	Ann V. Trumble - Greenfield
	Mary C. Hodge - New Bedford
	Viola Jacobs - Auburndale
	Harold F. Brochu - South Hadley
	Anna St. John - Feeding Hills
	Elinor Judge - Brockton
	George W. Flanagan - Longmeadow
	Daniel A. Purcell - Arlington
	Florence G. Ginepra - East Boston
	Evette M. McElroy - Peabody
	Sabina A. Parker - Chicopee
	Salvatore J. Re - Milton
	Louis M. Stoffel - Littleton
	Russell J. Quist - Walpole
	Gustave M. Solomons - Cambridge
	Marie Fernandes - Boston
	Mary B. Samp - Cambridge
	Evelyn F. Langley - Framingham
	John B. Collins - Norwood

COMMITTEE ON COMMERCE AND LABOR

CONSIDERS ALL MATTERS DEALING WITH CONSUMER PROTECTION, EMPLOYMENT DISCRIMINATION, LABOR LAWS, MOBILE HOME PARKS.

COMMERCE & LABOR

The Commonwealth of Massachusetts

001

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY- ONE

AN ACT ESTABLISHING AN ELDERLY DISCOUNT PROGRAM.

Ought Favorable.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 19A of the General Laws is hereby amended by inserting after section 4 the following section:-

Section 4A. The department shall establish an elderly commercial discount program for the purpose of providing a system for encouraging, coordinating and publicizing the voluntary participation by certain business who offer discounts to the elderly on goods or services. The department in cooperation with local senior centers and councils on aging shall administer said program including the distribution of discount cards to the elderly and decals to participating business and shall establish a procedure whereby each participating business shall file with the department and local senior centers and council on aging so designated by the department a statement stiupulating the amount of any discount and the length of time such discount shall be in

Genevieve Ash

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

effect. Said department shall estabish such rules and regulations as may be necessary to carry out such program including the following:- The elderly discount card shall bear the name, address, social security, date of birth, picture and signature of the applicant and shall bear the notation, "Massachusetts Elderly Discount Card". Said card shall be valid for five years from the date of issuance; provided, however, that a card issued shall be valid for as long as the holder is a resident of the state. Any resident of the commonwealth sixty-two years of age or older, shall be eligible for any discount as provided herein. Any person who signs a statement of intent which stiupulates the amount of the discount he will offer, any limitations of the time during which it will be offered, and a promise not to raise the price over the discount and who adheres to this statement may participate in the discount card program. Any person who holds a discount card and allows another person to use his card to obtain a discount shall have his card suspended by the local Senior Center or Council on Aging for such period as they deem fit. Any business that fails to adhere to the agreement contained in the statement of intent or who falsely advertises discounts for holders of discount cards shall be suspended from the program for such period as the Senior Center or Council on Aging deems fit. Any business participating in the program may withdraw at any time by giving notice to the Senior Center or the Council on Aging and removing the decal posted in or on their place of business.

SECTION 2. Elderly discount card shall be valid January 1, 1981 and no card holder or participating commercial business shall be eligible for suspension from the program for cause until January 1, 1981. - 1982.

COMMERCE AND LABOR

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT TO EXEMPT CERTAIN ELDERLY PERSONS FROM PAYING A FUEL ADJUSTMENT SURCHARGE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 945 of Chapter 164 of the General Laws is amended by the following: Notwithstanding any general or special law to the contrary, citizens 60 years of age and older shall be exempt from fuel adjustment surcharges.

Ethel L. Moody

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

MEMORIAL TO THE UNITED STATES CONGRESS

and the

MASSACHUSETTES STATE LEGISLATURE

by the 1980

Massachusettes Silver Haired Legislature

Be it known, that the first annual Silver Haired Legislature of the state of Massachusettes convened in the state house in Boston from August 17 through the 19th in the year of our Lord 1980 has approved the following resolution for due consideration and action by the duly elected representatives of this state and those of all states of the United States Congress.

Whereas the United States continues to face an unparalled energy crisis and,

Whereas all Americans, especially the elderly on fixed incomes, need reliable sources of energy supplied at reasonable prices and,

Whereas the cost of energy continues to spiral upward because of our dependence on the uncertain supplies of oil from overseas and the resultant higher inflation:

Therefore, be it resolved and approved by the body herein assembled that the Silver Haired Legislature of the state of Massachusettes urge state and national leaders to immediately draft, adopt and expediate a responsible energy policy to:

1. Encourage maximum production of domestic energy supplies including coal, oil, uranium and natural gas;

2. Provide corporate and individual incentives toward conservation of our scarce energy supplies;

3. Encourage improved public transportation with greater quality and convenience for the consumer;

4. Advocate and encourage maximum use of proven domestic energy sources including coal, nuclear and hydro power;

5. Encourage and support development of alternative sources of energy including solar, geothermal, wind and fussion.

COMMERCE & LABOR

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled.

003

The undersigned, citizen of LUDLOW, MASSACHUSETTS, *respectfully petitions for the passage of the accompanying bill and/or for legislation*

EXEMPTING CERTAIN ELDERLY PERSONS FROM PAYING A FUEL ADJUSTMENT SURCHARGE FOR RESIDENTIAL UTILITY USE.

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES IN GENERAL COURT ASSEMBLED AND BY THE AUTHORITY OF THE SAME, AS FOLLOWS.

IT IS A CONCENSUS OF OPINION THAT THESE SURCHARGES PLACE AN UNFAIR BURDEN ON THE ELDERLY WHO MUST ABIDE BY THE FIXED INCOME THEY RECIEVE.
ONLY IN THE UTILITY COMPANIES IS IT NESCESSARY TO PAY FOR THE MANUFACTURE OF A PRODUCT AND STILL PAY FOR THE UTILITY IN THE END.

3-7
Disapproved.

Ronald McLeish
530 CHAPIN ST.
LUDLOW, MASS.

PETITIONERS WILL PLEASE SIGN THEIR NAMES AND ADDRESSES LEGIBLY

COMMERCE & LABOR

The Commonwealth of Massachusetts

004

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT exempting certain elderly persons from paying a fuel adjustment surcharge for residential utility use.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The Department of Public Utilities is hereby authorized and directed to promulgate rules and regulations prohibiting any utilities under its control from charging a fuel adjustment surcharge for consumption of the services offered the said utility to the residents of any persons sixty-five years of age or older.

Reject.

Mary O'Neil

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

COMMERCE & LABOR

The Commonwealth of Massachusetts

005

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT Directing the Department of Public Utilities to Establish a Rate Reduction for the Elderly.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Elderly persons 62 years of age or over, with annual incomes not in excess of $10,000.00, shall be entitled to a discount of at least 10% indicated on any bill or statement for any services and supplies rendered to them by any public utility regulated by the Department of Public Utilities under Chapter 25 of the General Laws.

Section 2. The Department of Public Utilities shall establish such regulations as the Commissioners thereof shall provide to accomplish the purposes indicated in Section 1 of this Act.

Too broad first Utility 1976

Reject

Sadye Williams

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

House, No. 4510

BILL

I would like to propose the bill to allow fuel adjustment and percentage discounts on gas, electric and telephone to our elderly citizens.

Genevieve P. Struzik
Representative

Ryzet

006

006

COMMERCE & LABOR

The Commonwealth of Massachusetts

007

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT authorizing and directing the Commission of the Department of Public Utilities to promulgate rules and regulations allowing certain utility and rate reductions for the elderly.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The Commissioner of the Department of Public Utilities is hereby authorized and directed to promulgate rules and regulations allowing a 50% reduction in gas, electric and telephone rates to all persons sixty-five years of age and over.

Reject

Mary O'Neil

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

COMMERCE & LABOR

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

008

Jadwiga Rurak

AN ACT TO GOVERN THE MANUFACTURE AND SALE OF GAS AND ELECTRICITY.

Section 124 chgs.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Amend Chapter 164, Section 124F, "Shutting Off Service During Financial Hardship", by adding Section 124G, "Prohibition of Termination Notices during Winter Moratorium," Section 124H, "Notice of Energy Programs to Utility Customers" and Section 124I, "Deferred Payment Agreements on Utility Bills."

Section 1a. Chapter 164 Section 124G, Prohibition of Termination Notices During Winter Moratorium.

No gas or electric company shall send termination notices to households in which a financial hardship exists, while the winter shut-off Moratorium Law is in effect from November fifteenth to March fifteenth.

The Department of Public Utilities may promulgate such rules and regulations consistent with this section as it deems reasonable and necessary to carry out the intent of

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

Reject

this Section. Any willful violation of these Sections 124F, 124G or 124I by any gas or electric company shall be punished by a fine of not more than fifty dollars.

Section 2a. Chapter 164, Section 124H, Notice of Energy Programs to Utility Customers.

Each gas and electric company shall send every customer a notice with the bill, explaining the availability of the Energy Assistance Programs, from November first to May first.

Section 3a. Chapter 164, Section 124I, Deferred Payment Agreements on Utility Bills.

No gas or electric company shall refuse to work out deferred payment agreements that constitute a reasonable payment plan, which will fit the customer's means and will place limitations on company shut-offs and refusals to provide service just before and after the shut-off moratorium period.

COMMERCE & LABOR

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

009

AN ACT TO PROVIDE FOR A "COOLING OFF" PERIOD BETWEEN PAYMENT OF LIFE INSURANCE BENEFITS AND ANY ATTEMPT TO SELL FURTHER INSURANCE

ON. Favorable

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after Section 144A the following section:

SECTION 144B. No agent, salesman or broker for any company which has paid a cash surrender benefit, paid-up annuity benefit, deferred annuity benefit, endowment benefit, or death benefit to any policyholder or beneficiary under any policy of insurance shall contact such policyholder for the purpose of selling or attempting to see further or additional insurance within thirty days of the receipt of payment of such benefit by said policyholder or beneficiary. Nothing in this section shall prevent a policyholder or beneficiary from exercising any right to purchase additional, further, or

Kathryn C. Cunning

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

other insurance under preferential terms under the provisions of any such policy of insurance.

COMMERCE & LABOR

The Commonwealth of Massachusetts 010

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

AN ACT

THAT NO PERSON SHALL BE DENIED UNEMPLOYMENT COMPENSATION FOR VOLUNTARY RETIREMENT.

Passed House.

Resolution memorialized

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chp. 131 A any person age.

SECTION 1. NOTWITHSTANDING THE PROVISIONS OF CHAPTER 151a OF THE GENERAL LAWS; NO PERSON SHALL BE DENIED UNEMPLOYMENT COMPENSATION BENEFITS UNDER PROVISIONS OF SAID CHAPTER FOR THE REASON OF HIS RETIREMENT.

TO BE AMENDED BY FOLLOWING ADDENDUM ; EXCEPT WHERE PRIVATE PENSION EXCEEDS MINIMUM WEEKLY COMPENSATION OR IF PRIVATE PENSION IS LESS, THEN ONLY THE DIFFERENCE WOULD BE PAYABLE TO EQUAL THE WEEKLY MINIMUM UNEMPLOYMENT COMPENSATION.

Vincent DeCair

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

COMMERCE & LABOR

The Commonwealth of Massachusetts

011

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

~~3 P.M.~~

AN ACT

TO ENCOURAGE THE EMPLOYMENT OF PERSONS OVER FORTY
AND TO PROVIDE A MEANS FOR PREVENTING DISCRIMINATION
ON ACCOUNT OF AGE IN EMPLOYMENT.

Driscoll
Unfavorable

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

While it is true that laws have been enacted, both Federally and within the Commonwealth, which say that it unlawful for employers, agencies, and unions to discriminate against persons between the ages of 40 and 70 in matters of employment, be it while employed or becoming employed, there is very little mechanism existing which is on the side of the one discriminated against.

Not only should we encourage the continued employment of these persons who wish to do so, but we should plan and implement ways in which theycould register their complaints and get relief. This should also apply to those desiring to become employed, perhaps in some cases after having been let go on the same charge (never stated) of age discrimination.

Statistics must be gathered as to how often this happens. It is both economically and psychologically detrimental to the individual and to society to let this continue. It is also illogical on one hand to raise the mandatory retirement age to 70 and on the other hand not allow it.

Frances C. Nichols

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

COMMERCE & LABOR

The Commonwealth of Massachusetts

012

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT TO INCREASE THE JOB OPPORTUNITIES FOR PERSONS 55 YEARS OF AGE OR OLDER.

3044.
Withdrawn

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of any law, rule or regulation to the contrary, the allowable income ceiling for SSI eligibility shall be increased each year by the amount of the cost of living increase as determined by the U.S. Consumer Price Index for each calendar year.

Margaret Higgins
Taunton

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

Submitted by Ralph J. Froio

COMMERCE & LABOR

The Commonwealth of Massachusetts

013

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

Senator

AN ACT

Resolution calling for support of a

Bill H-1145 And Federal Senate bill S-1743

GK

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Retired persond clubs and associations throughout this country are asking for ssupport of two bill in the Congress, H-1145 and S-1743. Both of these bills ask that legislation be adopted which will require their former employers to bargain with the union for the retiree. Some companies now hide behind a ruling that companies do not have to bargain with the unions for the retired person. Many companies do not hide behind this ruling and the former workers in those companies are able to keep up with inflation.

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

COMMITTEE ON EDUCATION AND HOUSING

CONSIDERS ALL MATTERS OF SCHOOLS, EDUCATION AND HOUSING.

The Commonwealth of Massachusetts

014

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT EXEMPTING SENIOR CITIZENS WHO ATTEND THE COMMONWEALTH'S INSTITUTIONS OF HIGHER LEARNING FROM BEING CHARGED TUITION.

Passed Both

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Any senior citizen who wishes to return to college for more education or for personal enhancement should be allowed the privilege of doing so tuition-free and with credit. Saying that these persons are not entitled to credit for their time, effort and initiative is discriminatory and demeaning and illogical. It says that somehow senior citizens are not as good, not as deserving, and do not deserve credit.

Anyone who is able, and wishes to pay the regular fee, shall not be discouraged from doing so. Those who could not easily afford it should be allowed the dignity of having acknowledgement of their work by being allowed to register, do the work required, and receive standard credit.

Frances C. Nichols

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

015

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-ONE

AN ACT AMENDING THE POWER AND DUTIES OF THE BOARD OF EDUCATION TO REQUIRE THE DEVELOPMENT AND ESTABLISHMENT OF A PROGRAM OF EDUCATION IN THE AREA OF WHOLISTIC HEALTH,

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. SECTION ONE G OF CHAPTER FIFTEEN OF THE GENERAL LAWS, AS MOST RECENTLY AMENDED BY CHAPTER [redacted] OF THE ACTS OF [redacted], IS HEREBY AMENDED BY ADDING THE FOLLOWING NEW PARAGRAPH:

THE BOARD SHALL ESTABLISH A PROGRAM OF WHOLISTIC HEALTH EDUCATION AND SHALL REQUIRE ALL PUBLIC SCHOOLS OPERATING ON A "ONE SESSION DAY" TO OFFER A COURSE IN WHOLISTIC HEALTH EDUCATION AT ALL GRADE LEVELS FOR A MINIMUM OF TWO CLASS UNITS PER WEEK.

AS USED IN THIS SECTION, UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE, THE FOLLOWING WORDS SHALL HAVE THE FOLLOWING MEANING:

" WHOLISTIC HEALTH EDUCATION," THE DRUGLESS ART FOR SUSTAINING, MAINTAINING A HEALTHY BODY, METHODS WHICH ARE IN NO WAY HARMFUL OR DESTRUCTIVE TO HEALTH; THE PREVENTION OF PROGRESSION, AND

Bruce DeTeso

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

CURE OF HUMAN DISEASE AND PHYSICAL SUFFERING; KNOWLEDGE, APPLICATION AND CONFOPMING WITH THE CONSTRUCTIVE AND HARMONIOUS PRINCIPLES OF NATURAL, UNIVERSAL AND SPIRITUAL LAWS AND SURGERY AND DRUGS WHEN NEEDED FOR MECHANICAL INJURIES. THE ABOVE INCLUDE STUDIES AND KNOWLEDGE OF, BUT NOT LIMITED TO: AVITAMONOSIS, BIOCHEMISTRY, HERBAL REMEDIES, BIOCLIMATOLOGY, BIOCHEMOPHOLOGY, GALENICS, NATUROPATHY, BIOCHEMICS, BIOCHEMY, BIO-ELECTRICITY, BIO-ENERGETICS, BIONOMICS, BIONOMY, BIOPHYLACTICS, BIOPHYSICS, BIOPHYLAXIS, THEOTHERAPY.

SECTION 2. THIS ACT SHALL TAKE EFFECT ON JANUARY 1, 1982.

Jointly Submitted by Ralph J. Froio. EDUCATION

The Commonwealth of Massachusetts

016

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT

Subsidize elderly people to maintain their present place of residence.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Monies appropiated for elderly housing to be used in equal amounts to subsidize elderly people physically able but financialy unable, to maintain their present homes due to increase in taxes and high fuel costs.

By allowing these persons that are physically able to maintain their homes and subsiduze their taxes and fuel to the same amount as project tenants, (25% of income) it could mean the reduction in the number of elderly house to be constructed.

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

Jointly Submitted by Ralph J. Froic

EDUCATION

The Commonwealth of Massachusetts

017

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT

Exempting certain elderly people from increases in rent.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Elderly people living in subsidized housing with incomes of $700 for xouples and $500 for singles be exempted from any increase in the present 25 percent of income for rental. Attemptes are being made to increase this percentage to 40 percent. This will cause undue hardships and force some tenants to seek rooms with relatives.

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

EDUCATION

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

018

AUGUSTA ENBINDER

AN ACT establishing a committee to review the applications and present tenants of elderly housing to determine:

1. Are present tenants those that meet all requirements.
2. Is a person that is financially unable being deprived of housing to allow someone of means to reside there.
3. Are all being given the same consideration for the available apartments.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

EDUCATION

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled.

019

The undersigned, citizen of Edmund Schmidt, *respectfully petitions for the passage of the accompanying bill and/or for legislation*

To subsidize persons living in their own home and who wish to remain there, equal to those who are living in housing for the elderly subsidized by the community's Housing Authority. I would further request that the maintenance persons presently assigned to the Housing Authority also perform maintenance required where eligible property owners are not able to do this function themselves.

PETITIONERS WILL PLEASE SIGN THEIR NAMES AND ADDRESSES LEGIBLY

The Commonwealth of Massachusetts

020

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

AN ACT TO AMEND THE GENERAL LAWS RELATING THE OWNERSHIP AND OCCUPANCY OF REAL PROPERTY IN THE COMMONWEALTH OF MASSACHUSETTS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The General Laws are to be amended by the following changes on Clause 17, Section for Ownership and Occupancy.

1. Must own and occupy as Principal Residence, any Real property in Massachusetts (including present property) for five years. Massachusetts must have been Principal Place of Residence for ten years or more.
2. Either spouse who is 70 must have owned, or owned jointly with spouse, and occupied the property in question as the principal place of residence for five years.
3. Must be present owner and occupant.
4. Gross Income to remain the same, not applicable.

Mary Hodge

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

021

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT CONCERNING SECURITY PROTECTION AT ELDERLY HOUSING DEVELOPMENTS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Upon acceptance of the Act, the Governor of the Commonwealth of Massachusetts shall appoint a Senior Citizens Security Protection Council consisting of nineteen members; thirteen members shall be selected from senior citizens one from each of the Commonwealth planning districts, one member representing the Attorney General's office, one member representing the Department of Public Safety, three members who are employed in the planning, administration, education and delivery of law enforcement activities, one member representing the Commonwealth's Council on Aging and one member representing the Massachusetts Chapter of the National Association of Housing and Redevelopment Officials. The Governor shall appoint a chairperson from the members on February first of each year.

John Hatcher

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

022

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT REQUIRING A SENIOR CITIZEN TO BE A MEMBER OF HOUSING AUTHORITIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 5 of Chapter 121B of the General Laws is hereby amended by inserting after the sixth paragraph thereof the following paragraph:

"In a city, one of the four members of a housing authority appointed by the mayor shall be a resident of that city and shall be a person who has reached the age of sixty-five or over."

Thomas Wood

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

SECTION 2

Members of the Senior Citizens Security Protection Council shall serve for a term of three years and untill a successor is appointed and be limited to no more than two consecutive terms in office after acceptance of the Act.

SECTION 3

The Senior Citizens Security Protection Council shall make studies, develop research materials, make suggestions and recommendations concerning ways and means of improving security of all types for the elderly developments in the Commonwealth.

The Commonwealth of Massachusetts

023

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT PROVIDING $100 MILLION DOLLARS FOR ELDERLY HOUSING

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Chapter 121B, Section 41 is hereby amended by striking words six hundred and thirty-four million dollars in lines five and six and substituting the words seven hundred and thirty-four million, and further amended by striking the words seven hundred and thirty-four million and substituting the words eight hundred and thirty-four million.

Patrick Gallagher

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

024

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT

To require the DEPARTMENT OF ELDER AFFAIRS to provide suitable housing for all elderly persons found eligible for public housing by a local housing authority.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Make mandatory every town shall have Housing for the Elderly, for inhabitants of that town only or relatives thereof and for such other legislation in relation thereto as the General Court of its committees may deem expedient or advisable.

Mafalda J Albano

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

025

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY- ONE.

AN ACT

PROVIDING FOR THE CONSTRUCTION OF ELDERLY HOUSING.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 8 of chapter 4 of the acts of 1976 as most recently amended by chapter 714 of the acts of 1979 is hereby further amended by striking out in line 2, the word "seven" and inserting in place thereof the word: — eight.

SECTION 2. Section 10 of said chapter 4 is hereby amended by striking out, in line 9, the word "seven" and inserting in place thereof the word: — eight.

SECTION 3. Section 41 of chapter 121B as most recently amended by section 6 of chapter 996 of the acts of 1977 is hereby further amended by striking out the words "six hundred and thirty-four million dollars" and inserting in place thereof the following: — seven hundred and thirty-four million dollars.

SECTION 4. Section 4 of chapter 19A, as most recently amended by chapter 538 of the acts of 1977, is hereby further amended by adding after subsection (o), the following: —

(p) to provide such supportive services, in addition to home care services, as are necessary to assist an elderly or disabled person to maintain an independent lifestyle in congregate housing, including the services of a coordinator whose services shall be available on a 24-hour basis.

William Strob

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

026

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

AN ACT to promote congregate and shared housing. Renovation of existing houses and buildings for less cost than new construction.

A good alternative to loneliness or nursing homes.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

027

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEXXXXX~~ EIGHTY

AN ACT Seeking to have all buildings, owned, leased or rented by the Commonwealth of Massachusetts for the specific use of housing the elderly and, or the handicapped, be up-dated to meet all the standards required in buildings constructed or renovated after January 1, 1975, In accordance with Massachusetts State Building Code, Sections 1216.0, 1216.1, 1216.2, 1216.3, 1213.2.1, 1216.3.2, and 1216.3.2.1

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. - That all buildings speciaically used as Housing for the Elderly and/or the Handicapped, the de-institutionalized patients from State Mental institutions, halfway houses, be brought up to the standrads of the State Building Codes in force since January 1, 1975. Referring to buildings owned by the state, leased by the state from private owners or rented by the state.

SECTION 2. It is my contention that persons whose rents are subsidized by the state, all paying rent at the rate of 25% of their income, are all entitled to the same amount of safety requirements, such as smoke and heat detectors, installation of fire escapes, etc.

SECTION 3. Fired extinguishers. Fire extinguishers should be attached to the wall, at a low level, not exceeding six inches from the loor, so that elderly persons weakened by arthritis or other ailments, and wheelchair persons, who cannot stand up and reach a four or five foot height to disengage the extinguisher from the wall, may have the extinguisher made available to them at the lower level. It is important that all extinguishers be attached to the wall to prevent them from being accidentally knocked down. Also, all extinguisher locations should be visibly marked so that they may be seen from any place in the hallways.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary. Arthur L Leduc

SECTION 4. That all buildings should be equipped with properly operating self-closing and self-locking doors of egress from the building, which serves to protect the tenants from vandals who might otherwise enter the building and set fires or otherwise vandalize the buildings, making it hazardous to the health and safety of the tenants.

SECTION 5. Though many of the items mentioned in the above Sections are already passed and form a part of the state law, they are flagrantly and grossly neglected thoughout the state and should be policed by the agencies designated by the state to supply decent and safe living accomodations to the elderly, handicapped and others included in this group.

SECTION 6. Definition of Handicapped Persons. I personally walk with the help of crutches, and can be considered as handicapped. But, I live in a building where, at the age of seventy, I am the youngest male in the building, with many females up into the high eighties. Many of these persons, though not confined to a wheelchair or bound to the use of crutches for getting around, would find it impossible to get out quickly in case of an emergency. Some are handicapped by virtue of heart conditions, severe arthritis, emphysema or other similar ailments. They are fully handicapped as I am and should be given the protection needed.

COMMITTEE ON GENERAL LEGISLATION

CONSIDERS ALL MATTERS OF URBAN AFFAIRS (URBAN RENEWAL CONDOMINIMUM LAWS), TRANSPORTATION, JUDICIARY.

GENERAL LEGISLATION

028

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT Providing a mandatory one-year sentence for the training and using of a dog to help commit a crime.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Whoever, while in the act of committing a crime is accompanied by a dog trained to aid and abet such crime, shall be punished by imprisonment in the State Prison for no less than two and one-half years, or not more than five years. The sentence imposed upon such a person shall not be reduced to less than one year, nor suspended, nor receive any deduction from his sentence for good conduct until he has served one year of such sentence. If the mentioned dog is deemed incorrigible and vicious, it shall be put to sleep.

Walter E. Saunders

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

GENERAL LEGISLATION

The Commonwealth of Massachusetts

Q29

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT TO INSURE BETTER SECURITY IN ELDER HOUSING PROJECTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Chapter 121 of the Massachusetts General Laws is hereby amended by adding after Section 26S, the following:

(a) There shall be "on site" personnel for the care and maintenance of elderly housing sites and for the aiding of tenants in emergencies.

(b) The unit emergency cords of Elderly housing sites shall be tied-in directly to the Police or Fire Departments, as well as registering on the site.

(c) This amendment shall become effective retroactively to include present elderly housing and sites under construction.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

GENERAL LEGISLATION

The Commonwealth of Massachusetts

030

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT TO INCREASE SECURITY IN HOUSING FOR THE ELDERLY IN BOSTON.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Notwithstanding any other law or regulation, a security guard shall be posted at the main entrance of each assisted elderly housing project building in Boston.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

GENERAL LEGISLATION

031

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT To provide a better system of transportation for patients receiving Cancer Chemo and Cobalt Treatments to and from Doctors' Offices, Hospitals and Clinics.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Gerald Boylan

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

GENERAL LEGISLATION

032

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT

Providing that the elderly over age 72 be exempted from MBTA fares.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Any person who has attained the age of 72 shall be exempted from any and all fares of the Metropolitan Bay Transportation Authority.

SECTION 2. A special pass shall be provided to any eligible person who so applies, at no charge.

Representative
31st Middlesex
Somerville, Mass.
John Souza

John Souza

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

GENERAL LEGISLATION

The Commonwealth of Massachusetts

033

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY- ~~XXNEX~~.

AN ACT

ESTABLISHING A TRANSPORTATION AUTHORITY FOR THE TOWNS OF MARLBORO, SOUTHBORO AND HUDSON.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The second paragraph of section 2 of chapter 161B of the General Laws is hereby amended by adding clause eleven:-

Western Middlesex Transit Authority, the towns of Marlboro, Southboro and Hudson.

Ralph O'Cain

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

GENERAL LEGISLATION

The Commonwealth of Massachusetts 034

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT TO PROVIDE FOR PASSENGER BUS SERVICE TO OUTLYING AREAS OF THE CITY OF HAVERHILL.

Whereas, the deferred operation of this act would tend to defeat its purpose, which is to provide for passenger bus service to outlying areas of the City of Haverhill, therefore it is hereby declared an emergency law necessary for the preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

The Merrimack Valley Regional Transit Authority is hereby authorized and directed to establish fixed route passenger bus service to outlying areas of the City of Haverhill which are not presently being serviced.

This service shall be established, as determined by the Merrimack Valley Regional Transit Authority, on a two-day-per-week basis with two passenger runs per day to each of the outlying areas.

Peter Lonze

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massarquseus

035

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT establishing a senior citizens transportation service

WHEREAS there is a limited availability of operating funds for general elderly transportation services and

WHEREAS it is in the general interest and to the public good to ensure adequate levels of public transportation for the Citizens of the Commonwealth over age 60

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any General or Special Law to the contrary, the Department of Elder Affairs and the Executive Office of Transportation and Construction shall jointly promulgate rules and regulations to implement a Senior Citizens Transportation Service. Said services shall provide fixed-route or demand-responsive transportation services to the general elderly population of the Commonwealth age 60 or over. The Department and the Executive Office of Transportation shall define the level and amount of services and trip purposes to be available under this program, and wherever possible shall coordinate such services with services available under Title XX of the Social Security Act of 1935, and Section 16(B)(2) of the Urban Mass Transit Act as amended.

SECTION 2. For the purposes of carrying out the provisions of Section 1 of this Act, the Commonwealth shall appropriate from the General Fund the sum of One Million Dollars. Funds to provide services under this Act shall be awarded on a competitive basis to Home Care Corporations and Area Agencies on Aging across the Commonwealth. A minimum of twenty per cent of the funds allocated under this act shall be earmarked for transportation services for the rural elderly population.

Ray Keyes

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

GENERAL LEGISLATION

The Commonwealth of Massachusetts

036

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT

Reducing the Age Requirement For Participation in the Massachusetts Bay Transportation Authority Senior Citizen Discount Ridership Program From Age Sixty-Five to Age Sixty.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of Chapter 161A of the Massachusetts General Laws or any other special laws to the contrary, the Chairman and Board of Directors of the Massachusetts Bay Transportation Authority, established by Section 6 of Chapter 161A are hereby directed to reduce the current age requirement for participation in the Senior Citizen Discount Ridership Program from Age sixty-five to Age sixty.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

037

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT

To make Imprisonment for no less than one year without parole mandatory for assault on senior citizens or for maliciously breaking into or entering their domicile.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. That imprisonment without parole for no less than one year will be mandatory for all persons 16 years of age or older who are found guilty of assault on the elderly or for maliciously breaking into or entering their domicile.

Section II The elderly and senior citizens herein referred to shall be male or female and 65 years of age or older.

Section III Since the primary aim of this bill is to be a deterrent against assaults on the elderly, it is recommended that during their imprisonment, a program of correction and rehabilitation for offenders should be given high priority so that after release from confinement they will be better able to amend their way of life. The purpose of the bill is not to seek retribution. It is to protect the elderly who are defenseless when faced with assault and to provide correction and rehibilitation for the offenders so that they become better citizens of our State and nation after their release.

William P. Heffernan

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

Section IV Efforts to reduce crime against the elderly, and reduce their fear of crime must be instituted at the State and community level. Since the primary aim of this bill is to be a deterrent against criminal assault on the elderly, it is recommended that programs of correction and rehabilitation and prevention of would be offenders be given high priority so that after release from imprisonment they will be better able to amend their ways.

The enactment of this law by our Great and General Court of the Commonwealth of Massachusetts will be a most worthy consideration for our senior citizens and a manifestation of our concern for their welfare and their safety on the streets and in their homes.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

038

AN ACT providing for a minimum mandatory prison sentence, with restitution, for those who assault and/or rob an elderly person or a handicapped person.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Whoever commits an assault and battery on an elderly person or a handicapped person during an attempted larceny from said person, or whoever steals or attempts to snatch a handbag from such a person, shall be punished by imprisonment for not less than five years, and if the felon is a minor, the punishment shall be not less than three years nor more than four years in a house of correction.

SECTION 2. This Act must also support a program of mandatory restitution for such offenses. For example, whoever steals a handbag from an elderly person or from a handicapped person, said felon shall be obliged to restore the stolen handbag and its contents intact.

SECTION 3. When the crime is recorded, the penalty shall be greater for an offense against the elderly or the handicapped than against younger people. For example, we shall not equate the handbag snatching from a younger person with that of a person sixty years and over, or a handicapped person.

SECTION 4. There shall be certainty of immediate punishment. The courts shall not grant continuance. The crime shall be treated as a major felony and it shall be placed in that category of crimes that are accelerated through the

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process, i.e., put in the "major case" file and shall have a greater standing. For example, if on the roster, this is the forty-sixth case, it shall be brought up to the top.

SECTION 5. Since it is not the frequency of crimes against the elderly or the handicapped but their impact on said persons, such as physical, psychological, and/or emotional trauma that should be considered, adjudication of guilt or imposition of the sentence shall be: no charge reducing, no plea bargaining, no suspension, sentence shall not be deferred or withheld, nor shall the defendant be eligible for probation or parole prior to serving the whole of the minimum sentence.

SECTION 6. The courts shall have jurisdiction to enforce the penalty promulgated under the Act--and this Act shall take effect as soon as it is enacted by the State Legislature.

SECTION 7. For the purpose of this Act, the "elderly" shall be persons sixty years of age or older; the "handicapped" shall be the blind, the paraplegic or quadraplegic; "restitution" shall be either in kind, or money, or work as a positive side of the crime committed.

GENERAL LEGISLATION

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

039

AN ACT PROVIDING FOR MANDATORY SENTENCES ON CONVICTIONS OF ASSAULT AND BATTERY DURING THE COMMISSION OF HANDBAG AND/OR PURSE THEFTS, REGARDLESS OF THE AGE OF THE PERSON OR PERSONS FOUND GUILTY, THE LENGTH OF THE SENTENCE TO BE DETERMINED BY THE PRESIDING JUSTICE WHO MUST TAKE INTO CONSIDERATION WHAT RESTITUTION SHOULD BE ACCORDED TO THE VICTIM OF THE CRIME AND THE EXTENT OF RESPONSIBILITY OF THE PARENTS OF THE PERSON AND/OR PERSONS FOUND GUILTY OF THE CRIME.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. An unquestionable rise in crimes against the elderly people, particularly handbag/purse thefts on the older females, mugging of older males, breaking and entering in Elderly Apartments, assault, assault and battery, aggravated assault, armed and unarmed robberies, physical abuse and harm, threatening harm and danger, make it necessary to enact a statute that provides mandatory sentences for all of those convicted of any of the aforementioned crimes, which, in time, will assist the elderly citizens in combating their fears of walking outside their homes, particularly during evenings; too many of the elderly are actually afraid of leaving their homes, most of which consist of but one room. This Great and General Court must see to it that the elders are accorded the dignity and respect they deserve and this measure is but one step towards attaining the goal.

William J. Flynn

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

040

AN ACT

Relating to all abuse of an elder person shall be reported to proper authority. A person permitting abuse and not reporting it is guilty of neglect. The Golden Rule, "Do unto others as you would have them do unto you" shall be taught and enforced.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Ora C. Fleet

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

041

AN ACT PROVIDING FOR THE LICENSING OF GAMBLING CASINOS IN TOWNS OF ADAMS AND HULL, BERKSHIRE AND PLYMOUTH COUNTIES RESPECTFULLY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. IT IS HEREBY DECLARED THAT LEGALIZED GAMBLING, WHEN INTRODUCED AS PART OF MAJOR ENTERTAINMENT COMPLEXES, CAREFULLY DISTRIBUTED THROUGH THE COMMONWEALTH, IS CAPABLE OF PROVIDING A SUBSTANTIAL CONTRIBUTION TO THE GENERAL WELFARE, HEALTH AND PROSPERITY OF THE COMMONWEALTH AND ALL OF ITS INHABITANTS, NOT JUST THOSE IN THE TOWNS WHERE SUCH FACILITIES ARE LOCATED, THAT LEGALIZED CASINO GAMBLING WILL SIGNIFICANTLY INCREASE THE REVENUE PAID TO THE COMMONWEALTH, THAT THE TOWNS OF ADAMS AND HULL REPRESENT THE DIVERSITY AND GEOGRAPHICAL INTERESTS OF THE COMMONWEALTH FROM OCEAN BEACHES TO BERKSHIRE MOUNTAINS, THAT THE MAJORITY OF VOTERS OF ADAMS AND HULL HAVE, BY A NON-BINDING REFERENDA APPROVED OF CASINO GAMING, THAT THE DEVELOPMENT OF TOURIST AND CONVENTION FACILITIES, AND THE ENCOURAGEMENT OF NEW CONSTRUCTION OF CONVENTION, TOURIST, AND ENTERTAINMENT CENTERS WILL OFFER A UNIQUE

Joseph F. Banas

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

OPPORTUNITY FOR THE INHABITANTS OF THE COMMONWEALTH TO MAKE MAXIMUM USE OF THE EXCLUSIVE REGIONS FOR THE INTRODUCTION AND DEVELOPMENT OF LEGALIZED CASINO GAMBLING.

THE GENERAL LAWS ARE HEREBY AMENDED BY INSERTING AFTER CHAPTER 128A, THE FOLLOWING CHAPTER: -

CHAPTER 128C

GAMBLING CASINOS

SECTION 1. DEFINITIONS. TERMS USED IN THIS CHAPTER SHALL, UNLESS THE CONTEXT OTHERWISE REQUIRES, BE CONSTRUED AS FOLLOWS: -

"CASINO" A ROOM OR ROOMS WITHIN THE LICENSED PREMISES, AS HEREINAFTER DEFINED OF AT LEAST 10,000 SQUARE FEET, IN WHICH CASINO GAMING OR GAMES OF CHANCE ARE CONDUCTED IN ACCORDANCE WITH THIS ACT.

"TOWN" THE MUNICIPALITY OF ADAMS AND HULL

"GAME" OR "GAMES OF CHANCE" ANY GAME OF CHANCE OR SKILL, INCLUDING ANY BANK OR PERCENTAGE GAME, OR ANY GAMBLING ACTIVITY PLAYED WITH CARDS, DICE OR ELECTRIC, MECHANICAL OR ELECTRO-MECHANICAL DEVICE OR MACHINE FOR MONEY, PROPERTY, CHECKS, CREDIT, OR REPRESENTATIONS OF VALUE INCLUDING, BUT WITHOUT LIMITING THE FOREGOING, ROULETTE, KENO, GAME OF 21, BLACKJACK, CRAPS, STUD POKER, SLOT MACHINE OR ANY VARIATIONS OR COMPOSITES OF SUCH GAMES FOUND BY THE COMMISSION TO BE SUITABLE FOR CASINO USE, BUT NOT INCLUDING THE GAMES COMMONLY KNOWN AS BEANO, RAFFLES, LOTTERIES, SKILO GAMBLING ON THE SPEED OF ANIMAL OR HUMAN, OR GAMBLING ON ATHLETIC CONTESTS.

"LOCAL LICENSING AUTHORITY - LICENSING BOARD" IN EACH TOWN, A LICENSING BOARD APPOINTED BY THE SELECTMEN.

"PREMISES"CASINO PREMISES TO BE LICENSED UNDER THIS ACT CONSISTING OF A SINGLE BUILDING OR CLUSTER OF BUILDINGS FORMING A COMPLEX TO INCLUDE, BUT NOT BE LIMITED TO, A HOTEL OF AT LEAST 350 ROOMS, ADEQUATE RESTAURANT, ENTERTAINMENT AND REC-

REATIONAL FACILITIES, CONFERENCE AND MEETING ROOMS TO ACCOMMODATE AT LEAST 750 PERSONS, AND THE CASINO ITSELF, WITH ALL NECESSARY ACCESSORY FACILITIES TO CONSTITUTE A COMPLETE CONFERECNCE CENTER - RESORT HOTEL COMPLEX.

SECTION 2. GAMING CONTROL BOARD. THERE SHALL BE AND HEREBY IS CREATED THE GAMING CONTROL BOARD TO CONSIST OF 3 MEMBERS TO BE APPOINTED BY THE GOVERNOR OF THE COMMONWEALTH OF MASSACHUSETTS.

THE BOARD SHALL HAVE SOLE AUTHORITY TO ISSUE LICENSES TO OPERATE A CASINO PREMISES, CONDITIONED UPON PRIOR APPROVAL OF A LOCAL LICENSING AUTHORITY.

NO CASINO SHALL OPERATE UNLESS ALL NECESSARY LICENSES AND APPROVALS THEREFOR HAVE BEEN OBTAINED IN ACCORDANCE WITH LAW.

SAID BOARD SHALL APPOINT AN EXECUTIVE SECRETARY WHO SHALL SERVE AT ITS PLEASURE AND SHALL BE RESPONSIBLE FOR ITS ADMINISTRATIVE AFFAIRS, AND MAY ESTABLISH, AND FROM TIME TO TIME ALTER, SUCH PLAN OF ORGANIZATION AS IT DEEMS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS ACT. AND TO THIS END, THE BOARD SHALL ESTABLISH QUALIFICATIONS OF THE EXECUTIVE DIRECTOR AND OTHER EMPLOYEES ON ITS STAFF. THE APPOINTED MEMBERS OF SAID BOARD SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES, BUT THE BOARD MAY MAKE SUCH EXPENDITURES FOR EXPENSES AS ARE ANNUALLY APPROPRIATED THEREFOR.

SECTION 3. REGULATIONS. PROMULGATION BY THE GAMING CONTROL BOARD. THE GAMING CONTROL BOARD SHALL IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 30A, BE EMPOWERED TO ADOPT, AMEND OR REPEAL RULES AND REGULATIONS, NOT INCONSISTENT WITH THE PROVISIONS OF THIS CHAPTER, NECESSARY TO CARRY OUT, ENFORCE, AND OVERSEE THE LICENSING AND OPERATION OF CASINO PREMISES IN A PROPER AND ORDERLY MANNER, AND IN ACCORDANCE WITH THE PUBLIC INTEREST AS EMBRACED WITHIN THIS ACT.

SECTION 4. PRE CONDITION FOR FILING APPLICATION - VOTE OF CITY OR TOWN, LICENSEE

REQUIREMENTS. ANY PERSON, PERSONS OR CORPORATION DESIRING TO HOLD OR CONDUCT A CASINO WITHIN ANY CITY OR TOWN SHALL FIRST MAKE APPLICATION TO THE LOCAL LICENSING AUTHORITY IN THAT CITY OR TOWN. WHEN AN APPLICATION BY A PERSON, PERSONS OR A CORPORATION FOR A LICENSE TO CONDUCT OR OPERATE A CASINO UNDER THIS ACT IS MADE, THE BOARD OF SELECTMEN IN THE COMMUNITY WHERE SAID CASINO IS TO BE LOCATED SHALL PLACE THE FOLLOWING QUESTION ON THE BALLOT FOR SUCH COMMUNITY AT THE NEXT REGULARLY SCHEDULED ELECTION, PROVIDED SAID ELECTION IS NOT HELD WITHIN (60) SIXTY DAYS OF THE DATE THE LICENSE APPLICATION IS FILED WITH THE LOCAL LICENSING AUTHORITY. IN THE EVENT THAT THE REGULARLY SCHEDULED ELECTION IS HELD WITHIN 60 DAYS OF THE DATE THE LICENSE APPLICATION IS FILED, THE BOARD OF SELECTMEN SHALL CALL FOR A SPECIAL ELECTION TO TAKE PLACE (60) SIXTY DAYS AFTER THE DATE OF THE LICENSE APPLICATION FOR THE PURPOSE OF ACTING ON THIS SUBJECT.

FOR THE ORIGINAL GRANTING OF A CASINO LICENSE, THE FOLLOWING QUESTION SHALL BE PLACED UPON THE OFFICIAL BALLOT TO BE USED FOR SAID REFERENDUM:

"SHALL A LICENSE BE GRANTED IN THIS TOWN FOR THE OPERATION OF A GAMBLING CASINO?"

IF A MAJORITY OF THE VOTES ARE CAST IN THE AFFIRMATIVE BY THE VOTERS OF SAID TOWN, TO SAID QUESTION, A LICENSE SHALL BE APPROVED BY THE LOCAL LICENSING AUTHORITY AS PROVIDED FOR IN THIS ACT, AND FORWARDED TO THE GAMING CONTROL BOARD, SUBJECT TO ALL RESTRICTIONS AS SET FORTH WITHIN THIS ACT.

THE LOCAL LICENSE AUTHORITY OF THE TOWN MAY AUTHORIZE ONLY (1) ONE LICENSED CASINO PREMISE WITHIN SAID TOWN. AFTER SUCH APPROVAL SAID PERSON OR CORPORATION SHALL APPLY TO THE GAMING CONTROL BOARD FOR A CASINO LICENSE AS PROVIDED HEREIN.

SECTION 5. THE GAMING CONTROL BOARD. IN GRANTING SUCH CASINO LICENSE, THE GAMING CONTROL BOARD SHALL CONSIDER, AMONG OTHER FACTORS:

1. THE POPULATION TO BE SERVED BY THE PROPOSED LICENSED PREMISES.
2. THE POSSIBLE ECONOMIC IMPACT ON THE COMMUNITY.
3. THE GENERAL WELFARE OF THE PUBLIC.

EACH APPLICANT TO OPERATE A CASINO PREMISES MUST BE OVER EIGHTEEN YEARS OF AGE, OR BE A CORPORATION ORGANIZED UNDER THE LAWS OF THE COMMONWEALTH IN WHICH ALL DIRECTORS SHALL BE CITIZENS OF THE UNITED STATES.

PREMISE REQUIREMENTS. NO CASINO LICENSE SHALL BE ISSUED TO ANY APPLICANT UNLESS THE PROPOSED PREMISES OF THE CASINO SHALL CONSIST OF A COMPLEX CONSTRUCTED IN ACCORDANCE WITH THE PROVISIONS OF THE ACT, WHICH SHALL CONTAIN THE FOLLOWING MINIMUM FACILITIES:

NO FEWER THAN 350 HOTEL ROOMS IN A HOTEL OWNED OR LEASED AND OPERATED BY A PERSON HOLDING A DULY ISSUED AND VALID LICENSE AS AN INNHOLDER, UNDER THE PROVISIONS OF CHAPTER ONE HUNDRED AND FORTY OF THE MASSACHUSETTS GENERAL LAWS.

ADEQUATE RESTAURANT FACILITIES INCLUDING SANITARY KITCHEN AND DINING ROOM EQUIPMENT AND CAPACITY FOR PREPARATION, COOKING AND SERVING SUITABLE FOOD FOR ITS GUESTS AND OTHER PATRONS AND CUSTOMERS, AND IN ADDITION, MEETING AND COMPLYING WITH ALL THE REQUIREMENTS IMPOSED UPON INNHOLDERS AND COMMON VICTUALERS UNDER SAID CHAPTER ONE HUNDRED AND FORTY.

ADDITIONAL ENTERTAINMENT AND INDOOR RECREATIONAL AREAS TO CONFORM TO TABLE 1 AT THE CONCLUSION OF THIS SECTION.

CONFERENCE, MEETING AND/OR EXHIBITION SPACE INDOORS WITHIN THE SAID PREMISES IN ACCORDANCE WITH SAID TABLE (BUT EXCULDING RESTAURANT, ENTERTAINMENT AND INDOOR RECREATION AREAS).

A CASINO ROOM OR ROOMS AS PROVIDED IN SAID TABLE.

SUCH OTHER SUPPORTING OR ACCESSORY FACILITIES OR SPACE AS MAY BE REQUIRED TO CONSTITUTE A COMPLETE RESORT HOTEL-CONFERENCE CENTER COMPLEX.

THE MINIMUM AND MAXIMUM SIZE OF SPACE WITHIN A LICENSED CASINO PREMISES SHALL CONFORM TO THE FOLLOWING STANDARDS:

TABLE 1

NO. OF ROOMS IN HOTEL	CONFERENCE MEETING SPACE (SQ. FT.)	RESTAURANT ENTERTAINMENT ETC.	CASINO SPACE (SQ. FT.) MIN.	MAX.
350	15,000	10,000	10,000	40,000
500	20,000	15,000	20,000	50,000
750	25,000	20,000	30,000	60,000
1000	30,000	25,000	40,000	70,000
1500	35,000	30,000	50,000	80,000

SECTION 6. APPLICATION FOR ORIGINAL LICENSE. ALL APPLICATIONS FOR AN ORIGINAL LICENSE UNDER THIS ACT SHALL BE MADE ON A FORM OR FORMS TO BE PRESCRIBED BY THE GAMING CONTROL BOARD, AND SHALL INCLUDE A SWORN STATEMENT BY THE APPLICANT GIVING THE NAMES AND ADDRESSES OF ALL PERSONS WHO HAVE A DIRECT OR INDIRECT BENEFICIAL INTEREST IN SAID LICENSE. NO STOCK HELD BY A PERSON OR A CORPORATION POSSESSING SUCH A LICENSE SHALL BE TRANSFERRED, PLEDGED, OR ISSUED WITHOUT FIRST OBTAINING THE PERMISSION OF THE GAMING CONTROL BOARD. PROVISIONS OF THIS SECTION SHALL NOT APPLY TO THE STOCKHOLDERS OF A CORPORATION WHOSE STOCK IS LISTED FOR SALE TO THE GENERAL PUBLIC WITH THE SECURITIES AND EXCHANGE COMMISSION AND WHO HOLD LESS THAN TEN PERCENT OF THE OUTSTANDING STOCK ENTITLED TO VOTE AT THE ANNUAL MEETING OF SAID CORPORATION.

NOTATION OF THE DATE AND HOUR OF FILING SHALL BE MADE ON EVERY APPLICATION. WITHIN TEN DAYS AFTER RECEIPT OF ANY SUCH APPLICATION, THE GAMING CONTROL BOARD SHALL CAUSE A NOTICE THEROF TO BE PUBLISHED IN SAID CITY OR TOWN, THEN IN A DAILY NEWSPAPER PUBLISHED IN THE COUNTRY WHEREIN SUCH LICENSE IS INTENDED TO BE EXERCISED.

AFTER SUCH PUBLICATION, THE NAME OF THE NEWSPAPER PUBLISHING SUCH NOTICE SHALL BE NOTED BY THE GAMING CONTROL BOARD ON THE APPLICATION FOR A LICENSE. THE NOTICE SHALL SET FORTH THE NAME OF THE APPLICANT IN FULL, AND A DESCRIPTION OF THE LOCATION AND AREA WHERE THE LICENSE IS INTENDED TO BE EXERCISED, DESIGNATING, IF PRACTICABLE, THE STREET AND NUMBER. NO APPLICATION SHALL BE ACTED UPON BY THE BOARD EXCEPT AFTER A HEARING THEREON, WHICH SHALL BE HELD NOT SOONER THAN (10) TEN CALENDAR DAYS AFTER THE PUBLICATION OF SUCH NOTICE. AN AFFIDAVIT OF THE PERSON MAKING SUCH PUBLICATION ON BEHALF OF SUCH AUTHORITIES TOGETHER WITH AN ATTESTED COPY OF THE NOTICE PUBLISHED, SHALL BE FILED WITH THE GAMING CONTROL BOARD, AND ACERTIFIED COPY OF SUCH AFFIDAVIT SHALL BE PRIMA FACIE EVIDENCE THAT SUCH NOTICE HAS BEEN PUBLISHED IN ACCORDANCE WITH THIS SECTION.

SECTION 7. LICENSE FEE. AN APPLICANT PROPOSING TO FILE AN APPLICATION FOR A CASINO LICENSE UNDER THIS ACT SHALL PAY TO THE GAMING CONTROL BOARD THE SUM OF $25,000.00 (TWENTY-FIVE THOUSAND DOLLARS) AS A NON-REFUNDABLE REGISTRATION FEE. IF THE APPLICANT IS GRANTED AN ORIGINAL LICENSE BY THE GAMING CONTROL BOARD UPON COMPLIANCE WITH ALL THE APPLICABLE REQUIREMENTS OF THIS ACT, THE APPLICANT SHALL BE REQUIRED TO PAY AN ADDITIONAL $100,000.00 (ONE HUNDRED THOUSAND DOLLARS) FOR THE ORIGINAL LICENSE FEE, AND $100,000.00 (ONE HUNDRED THOUSAND DOLLARS) PER YEAR FOR ANNUAL RENEWAL OF SUCH LICENSE. IN ADDITION TO THE ABOVE FEES,

EACH SUCH LICENSED CASINO SHALL PAY A FEE OF NO MORE THAN $1,200.00 (TWELVE HUNDRED DOLLARS) FOR EACH GAMBLING TABLE, AND NO MORE THAN $50.00 (FIFTY DOLLARS) FOR EACH SLOT MACHINE WITHIN THE LICENSED PREMISES, PAYABLE ANNUALLY, IN ADDITION TO ANY FEDERAL TAXES OR LICENSE FEES WHICH MAY BE REQUIRED FOR SUCH GAMES. EACH CASINO LICENSE SHALL BE FOR A PERIOD OF (1) ONE YEAR.

SECTION 8. RENEWAL LICENSES. ALL LICENSES ISSUED HEREUNDER SHALL BE RENEWABLE EACH YEAR BY PROPER APPLICATION MADE BY THE LICENSE TO THE GAMING CONTROL BOARD AND PAYMENT OF ALL LICENSE FEES AND TAXES WHICH MAY BE DUE. RENEWALS SHALL BE GRANTED UNLESS THE GAMING CONTROL BOARD SHALL DETERMINE THAT A LICENSEE HAS BECOME UNSUITABLE TO CONTINUE TO HOLD SUCH LICENSE.

SECTION 9. GRANTING OF ORIGINAL LICENSE. EVERY APPLICANT FOR AN ORIGINAL LICENSE UNDER THIS CHAPTER, OR FOR A TRANSFER OF SUCH LICENSE FROM ONE LOCATION TO ANOTHER, OR AN APPLICATION FOR A CHANGE IN THE DESCRIPTION OF A LICENSED PREMISES, SHALL, WITHIN (3) THREE DAYS AFTER PUBLICATION AS HEREINBEFORE PROVIDED, CAUSE A COPY OF THE PUBLISHED NOTICE TO BE SENT BY REGISTERED MAIL TO EACH OF THE PERSONS APPEARING UPON THE ASSESSORS VALUATION LIST AS OF JANUARY 1 OF THE CALENDAR YEAR IN WHICH SAID APPLICATION IS FILED AS THE OWNERS OF PROPERTY ABUTTING THE PREMISES WHERE THE LICENSE IS INTENDED TO BE EXERCISED: AND IF A SCHOOL, A CHURCH OR A HOSPITAL IS LOCATED WITHIN A RADIUS OF FIVE HUNDRED FEET FROM SAID CASINO PREMISES, TO SUCH SCHOOL, CHURCH OR HOSPITAL. AN AFFIDAVIT OF THE APPLICANT, OR OF THE PERSON MAILING SUCH NOTICE IN HIS BEHALF, TOGETHER WITH AN ATTESTED COPY OF THE NOTICE MAILED, SHALL BE FILED IN THE OFFICE OF THE CLERK OF THE TOWN, AND A COPY OF SUCH AFFIDAVIT SHALL BE PRIMA FACILE EVIDENCE THAT SUCH NOTICE HAS BEEN MAILED IN ACCORDANCE WITH THIS SECTION. IF ANY ABUTTER OR THE AUTHORITIES GOVERNING ANY

SUCH SCHOOL, CHURCH OR HOSPITAL SHALL MAKE COMPLAINT IN WRITING TO THE LOCAL LICENSING AUTHORITY THAT SUCH LICENSE WAS GRANTED OR TRANSFERRED WITHOUT SUCH NOTICE HAVING BEEN MAILED TO HIM OR THEM AS REQUIRED HEREBY, AND AFTER DUE HEARING IT APPEARS THAT SUCH NOTICE WAS NOT MAILED AS AFORESAID, THE GAMING CONTROL BOARD MAY TAKE APPROPRIATE ACTION.

SECTION 10. FILING FOR CASINO LICENSE WITH THE GAMING CONTROL BOARD. AN APPLICATION FILED WITH THE GAMING CONTROL BOARD SHALL BE ACCOMPANIED BY A RECORD OF LOCAL APPROVAL, AND SUCH OTHER DOCUMENTATION AS THE GAMING CONTROL BOARD MAY REQUIRE. THE SAID APPLICATION SHALL CONTAIN THE FOLLOWING INFORMATION, MADE UNDER THE PENALTY OF PERJURY, AND SUBJECT TO A FINE OF NOT LESS THAN $1,000.00 (ONE THOUSAND DOLLARS), NOR MORE THAN $10,000.00 (TEN THOUSAND DOLLARS), OR BY IMPRISONMENT FOR NOT LESS THAN (1) ONE YEAR NOR MORE THAN (2.5) TWO AND ONE HALF YEARS IN A HOUSE OF CORRECTION OR BOTH.

1. THE NAME OF THE APPLICANT.

2. THE POST OFFICE ADDRESS OF THE APPLICANT, THE LOCATION OF ITS PLACE OF BUSINESS AND THE NAMES AND ADDRESSES OF ITS DIRECTORS AND STOCKHOLDERS OWNING MORE THAN 10% OF THE APPLICANT.

3. THE EXACT LOCATION AND FLOOR SPACE WHERE THE CASINO OPERATIONS ARE TO BE HELD, AND THE GAME OR GAMES OF CHANCE TO BE OPERATED.

4. THE DAYS ON WHICH IT IS INTENDED TO CONDUCT SUCH CASINO OPERATIONS.

5. THE HOURS OF EACH DAY BETWEEN WHICH IT IS INTENDED TO HOLD AND CONDUCT SAID OPERATIONS.

6. THE ANSWERS TO SUCH OTHER QUESTIONS AS THE LOCAL LICENSING AUTHORITY OR THE GAMING CONTROL BOARD MAY REASONABLY PRESCRIBE IN ORDER TO ASCERTAIN THE IDENTITY, ADDRESS, AND HOURS OF BUSINESS OPERATION OF THE APPLICANT.

SECTION 11. RECORDING OF LICENSE. A LICENSE SHALL ONLY BE ISSUED AFTER APPROVAL BY A MAJORITY VOTE OF THE GAMING CONTROL BOARD, AND LICENSES THUS ISSUED SHALL BE RECORDED IN THE OFFICE OF THE CLERK OF THE CITY OR TOWN IN WHICH SUCH CASINO OPERATIONS ARE TO BE CONDUCTED, SETTING FORTH THE EXACT LOCATION AND FLOOR SPACE AND THE TIME SAID OPERATIONS SHALL BE CONDUCTED. AFTER SUCH LICENSE IS SO RECORDED, A DULY CERTIFIED COPY THEREOF SHALL FORTHWITH BE CONSPICUOUSLY DISPLAYED AND SHALL BE KEPT SO DISPLAYED CONTINUOUSLY DURING SAID CASINO OPERATIONS IN THE PRINCIPAL BUSINESS OFFICE OF THE CASINO WHERE SAID OPERATIONS ARE BEING HELD AND AT ALL REASONABLE TIMES SHALL BE EXHIBITED TO ANY PERSON REQUESTING TO SEE THE SAME.

SECTION 12. CONDUCT AND OPERATIONS. THE GAMING CONTROL BOARD SHALL ESTABLISH RULES AND REGULATIONS FOR THE OPERATION AND CONDUCT OF SAID GAMES OF CHANCE, INCLUDING THE ACCOUNTING AND REPORTING REQUIRMENTS OF SUCH LICENSEES. THE BOARD SHALL REVIEW THE OPERATION OF ALL LICENSEES, AND SHALL REPORT TO THE LICENSEE ANY VIOLATION OF THIS ACT TOGETHER WITH EVIDENCE THAT NO CORRECTIVE ACTION HAS BEEN TAKEN BY THE LICENSEE. THE BOARD MAY HOLD A PUBLIC HEARING AND RECALL ANY LICENSES ISSUED UNDER THE PROVISIONS OF THIS ACT FOR ANY VIOLATIONS OF THIS ACT AFTER SAID HEARING.

SAID LICENSEE SHALL HAVE THE RIGHT TO APPEAL ANY DECISION OF THE GAMING CONTROL BOARD TO THE SUPERIOR COURT, AND ANY ORDER BY THE GAMING CONTROL BOARD RECALLING OR SUSPENDING A LICENSE SHALL BE WITHHELD UNTIL SUCH APPEAL HAS BEEN HEARD AND DECIDED.

SECTION 13. DISTRIBUTION OF GAMBLING GAMES. EACH PERSON, FIRM, CORPORATION, ASSOCIATION OR ORGANIZATION WHICH SELLS, LEASES, MARKETS OR OTHERWISE DISTRIBUTES GAMES OF CHANCE AS DEFINED HEREUNDER SHALL ANNUALLY APPLY FOR A LICENSE TO ACT AS A DISTRIBUTOR OF GAMES OF CHANCE IN THIS STATE UPON A FORM PRESCRIBED BY THE

GAMING CONTROL BOARD AND SHALL PROVIDE SUCH NECESSARY AND REASONABLE INFORMATION AS THE BOARD MAY REQUIRE. THE ANNUAL LICENSE FEE FOR ANY DISTRIBUTOR SHALL BE $10,000.00. NO DISTRIBUTOR SHALL SELL, LEASE, MARKET, OR OTHERWISE DISTRIBUTE ANY GAME OF CHANCE WITHIN THIS STATE EXCEPT, TO A CASINO LICENSED BY SUCH BOARD TO OPERATE GAMES OF CHANCE WITHIN THIS STATE.

SECTION 14. RECORDS AND BOOKS OF WAGERS. ACCURATE RECORDS AND BOOKS SHALL AT ALL TIMES BE KEPT AND MAINTAINED BY EACH LICENSEE, SHOWING THE NATURE AND AMOUNT OF ALL WAGERS MADE IN CONNECTION WITH THE CASINO OPERATIONS.

> "EACH LICENSEE UNDER THE PROVISIONS OF THIS CHAPTER SHALL PAY TO THE STATE TREASURER WITHIN THIRTY DAYS AFTER THE END OF EACH CALENDAR QUARTER, A SUM EQUAL TO SEVEN (7) PERCENT OF THE TOTAL GROSS INCOME EARNED BY THE LICENSEE DURING SUCH CALENDAR QUARTER FROM THE PLAYING OF GAMES OF CHANCE. THE STATE TREASURER SHALL DEPOSIT TWENTY PERCENT (20%) OF SUCH INCOME INTO THE GENERAL FUND OF THE COMMONWEALTH AND SHALL DEPOSIT EIGHTY PERCENT (80%) INTO A SPECIAL ACCOUNT TO BE KNOWN AS THE "CASINO FUND". SAID EIGHTY PERCENT (80%) WILL BE ALLOCATED TO THE MASSACHUSETTS DEPARTMENT OF ELDER AFFAIRS. AS USED HEREIN, "GROSS AMOUNT OF INCOME" SHALL MEAN THE TOTAL OF ALL SUMS, INCLUDING CHECKS AND MARKERS ACTUALLY RECEIVED AND COLLECTED BY A LICENSEE FROM GAMING OPERATIONS, LESS ONLY THE TOTAL OF ALL SUMS PAID OUT IN WINNINGS TO PATRONS."

SECTION 15. EXCLUSION OF CERTAIN PERSONS, PENALTIES. ANY PERSON OR CORPORATION LICENSED TO CONDUCT A CASINO SHALL HAVE THE RIGHT TO REFUSE ADMISSION TO OR EJECT FROM ITS PREMISES ANY PERSON WHOSE PRESENCE ON SAID PREMISES IS DETRIMENTAL, IN THE SOLE JUDGEMENT OF SAID LICENSEE, TO THE PROPER AND ORDERLY CONDUCT OF THE CASINO OPERATIONS. ANY PERSON WHO HAS BEEN NOTIFIED BY A LICENSEE OR HIS AGENT NOT TO ENTER OR ATTEMPT TO ENTER ITS PREMISES, AND WHO THEREAFTER DOES SO ENTER OR ATTEMPT TO ENTER SAID PREMISES, WITHOUT THE EXPRESS APPROVAL OF SAID LICENSEE, SHALL BE PUNHISHED BY A FINE OF NOT MORE THAN ($1,000.00) ONE THOUSAND DOLLARS, OR BY IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, OR BOTH.

SECTION 16. DECLARATION OF STATE'S EXEMPTION FROM OPERATION OF PROVISIONS OF 15 U.S.C. (1172). PURSUANT TO SECTION 2 OF AN ACT OF CONGRESS OF THE UNITED STATES ENTITLED "AN ACT TO PROHIBIT TRANSPORTATION OF GAMBLING DEVICES IN INTERSTATE AND FOREIGN COMMERCE" APPROVED JANUARY 2, 1951, BEING CHAPTER 1194, 64 STAT. 1134, AND ALSO DESIGNATED AS 15 U.S.C. (1171-1177), THE STATE OF MASSACHUSETTS, ACTING BY AND THROUGH THE DULY ELECTED AND QUALIFIED MEMBERS OF ITS LEGISLATURE, DOES HEREBY, IN ACCORDANCE WITH AND IN COMPLIANCE WITH THE PROVISIONS OF SECTION 2 OF SAID ACT OF CONGRESS, DECLARE AND PROCLAIM THAT IT IS EXEMPT FROM THE PROVISIONS OF SECTION 2 OF SAID ACT OF CONGRESS.

SECTION 17. LEGAL SHIPMENTS OF GAMING DEVICES INTO MASSACHUSETTS. ALL SHIPMENTS INTO THIS STATE OF GAMING DEVICES, INCLUDING SLOT MACHINES, THE REGISTERING, RECORDING AND LABELING OF WHICH HAS BEEN DULY HAD BY THE MANUFACTURER OR DEALER THEREOF IN ACCORDANCE WITH SECTIONS 3 AND 4 OF AN ACT OF CONGRESS OF THE UNITED STATES ENTITLED "AN ACT TO PROHIBIT TRANSPORTATION OF GAMBLING DEVICES IN INTERSTATE AND FOREIGN COMMERCE" APPROVED JANUARY 2, 1951, BEING CHAPTER 1194, 64 STAT. 1134, AND ALSO DESIGNATED AS 15 U.S.C. (1171-1171), SHALL BE DEEMED LEGAL SHIPMENTS THEREOF INTO THIS STATE.

SECTION 18. EXCLUSION OF MINORS

NO PERSONS UNDER THE ARE OF 18 YEARS SHALL BE ALLOWED WITHIN THE LICENSED CASINO OR TO TAKE PART IN ANY WAY IN SAID OPERATIONS. ANY MINOR VIOLATING SUCH RULE SHALL BE SUBJECT TO A FINE OF NOT LESS THAN ONE HUNDRED DOLLARS ($100.00) OR MORE THAN ONE THOUSAND DOLLARS ($1,000.00), OR IMPRISONMENT FOR NOT LESS THAN TWO (2) MONTHS OR NOT MORE THAN SIX (6) MONTHS IN A HOUSE OF CORRECTION, OR BOTH, UPON CONVICTION OF VIOLATING THESE RESTRICTIONS.

SECTION 19. WAGERING BY MINORS. ANY LICENSEE PERMITTING ANY MINOR TO PARTICIPATE IN ANY OF THE CASINO OPERATIONS AS SET FORTH IN SECTION 1 OF THIS CHAPTER BY WAGERING OR EMPLOYMENT SHALL BE PUNISHED BY ARREST AND SUBJECT TO A FINE OF NOT LESS THAN ($50.00) FIFTY DOLLARS NOT MORE THAN ($200.00) TWO HUNDRED DOLLARS, OR TWO WEEKS IMPRISONMENT OR BOTH.

SECTION 20. HOURS OF CASINO OPERATIONS.

NO CASINO SHALL BE OPEN FOR BUSINESS BETWEEN THE HOURS OF FOUR AND TEN O'CLOCK ANTEMERIDIAN,SUNDAY THROUGH THURSDAY, AND SIX AND TEN O'CLOCK ANTEMERIDIAN ON FRIDAY AND SATURDAY.

SECTION 21. POLICE PROTECTION. A LICENSEE PURSUANT TO THIS CHAPTER SHALL PROVIDE AS ITS OWN EXPENSE ALL NECESSARY SECURITY FORCES TO PROTECT THE PUBLIC INTEREST AND SAFETY, AND THEY SHALL HAVE SPECIAL POLICE POWERS CONCURRENT WITH THE LOCAL POLICE OF THE CITY OR TOWN INVOLVED, WITH POWERS OF ARREST FOR PROBABLE CAUSE IN AND AROUND THE LICENSED CASINO PREMISES.

SECTION 22. PENALTIES. NOTWITHSTANDING THE PROVISIONS PROVIDED IN SECTION 5 AND 9 OF THIS CHAPTER, ANY PERSON WITHIN THE COMMONWEALTH HOLDING OR CONDUCTING "CASINO GAMES" AS DEFINED IN SECTION 1 OF THIS CHAPTER, WITH OR WITHOUT A LICENSE AS PERMITTED BY THIS CHAPTER, WHO VIOLATES ANY OF ITS PROVISIONS SHALL BE PUNISHED BY A FINE OF NOT LESS THAN ($1,000.00) ONE THOUSAND DOLLARS, NOR MORE THAN ($25,000.00) TWENTY-FIVE THOUSAND DOLLARS, OR BY IMPRISONMENT FOR NOT MORE THAN THREE YEARS NOR MORE THAN ONE YEAR IN A HOUSE OF CORRECTION, OR BOTH.

SECTION 23. EFFECT ON OTHER LAWS. ALL ACTS AND PARTS OF ACTS INCONSISTENT WITH THE PROVISIONS OF THIS CHAPTER ARE HEREBY AMENDED TO THE EXTENT OF THE PROVISIONS CONTAINED HEREIN. NO LAWS OR PARTS OF LAWS WHICH HAVE FOR THEIR PURPOSE THE PROHIBITION OF CASINOS,

CASINO GAMBLING, GAMBLING, OR GAMES OF CHANCE SHALL BE CONSTRUED TO APPLY TO THE CASINOS, CASINO GAMBLING, GAMBLING, AND GAMES OF CHANCE AS DEFINED AND PERMITTED UNDER THIS CHAPTER, ALL SUCH OPERATIONS, GAMBLING AND GAMES BEING HEREBY SPECIFICALLY ENUMERATED AS LAWFUL.

SECTION 24. CONSTITUTIONALITY. THE INVALIDITY OF ANY SECTION, OR SECTIONS, OR PARTS OF ANY SECTION OR SECTIONS OF THIS CHAPTER SHALL NOT AFFECT THE VALIDITY OF THE REMAINDER OF THIS CHAPTER.

GENERAL LEGISLATION

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

042

AN ACT RELATIVE TO AN OPTIONAL PLAN OF CITY COUNCIL AND SCHOOL COMMITTEE ORGANIZATION IN CERTAIN LARGE CITIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. In any city having a population in excess of one hundred and fifty thousand inhabitants, except any city which has adopted the Plan E method of city government, as enumerated by the most recent state decennial census, the following question shall be placed upon the official ballot of the next election, addressed to the City Council of such city, signed by qualified voters of the city in a number equal at least to five per cent of the number of registered voters in said city at the state election next preceding the filing of said petition: A BINDING REFERENDUM CHANGING THE STRUCTURE OF THE CITY COUNCIL TO PROVIDE FOR DISTRICT REPRESENTATION.

"Shall the City Council be composed of nine members elected from equally populous districts, and in addition, four elected at large?"

YES	
NO	

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

Jack Wigon

Such petition shall be filed with the City Clerk, in the same manner that nomination papers for candidate for a state office as provided in Section seven of Chapter fifty-three of the General Laws who shall transmit the same forthwith to the registrars of voters or city bode functioning as such, shall within twenty-eight days certify the signatures thereon in accordance with the provisions of, filed with the State Secretary at least sixty days before the date of the election at which the question proposed by the petition is to be submitted to the voters.

Any petition submitted under this section may be in the form of separate sheets addressed to the City Council, each sheet containing at the top thereof the question proposed for submission to the voters. When attached together and offered for filing, the several papers shall be deemed to contitute one petition, and there shall be endorsed thereon the name and address of the person presenting the same for filing. The provisions of Section nine and ten of Chapter forty-three of the General Laws shall apply to any petition filed hereunder, and to the placing upon the ballot of the question proposed therein.

SECTION 2. If a majority of the total number of votes cast at such election for and against the adoption of a plan of City Council organization or proposed under Section one shall be in favor of adoption of such organization, such plan shall supercede the provisions of the city charter theretofore existing and of the general and special laws relating to such city and inconsistent with such plan, but not, however, until the City Council members, provided for in such plan, shall have been duly elected and their terms of office shall have begun. The said City Council members provided for under the plan so adopted shall be elected in accordance with the provisions of this act relating to such plan, and their terms of office shall begin at

ten o'clock in the forenoon of the first Monday of January following their election.

SECTION 3. Within ninety days following receipt of an official justice which the City Clerk shall send, within thirty days of such election, to the City Council, notifying the said City Council that a new plan of City Council organization has been approved by the voters, said council shall adopt an ordinance after public hearing providing for the division of the city into nine districts or such other number of districts as may be specified in the question approved by the voters for the election of City Council members by and from the voters of such districts at the next municipal election. Each such district shall be compact and shall contain, as nearly as may be, an equal number of inhabitants, shall be composed of contiguous existing precincts, and shall be drawn with a view toward preserving the integrity of existing neighborhoods. Said districts shall continue in force until the next division of the city into wards required by Section one of Chapter fifty-four of the General Laws, at which time the City Council shall divide the city into a number of wards equal to the number of said districts; and thereafter, upon the effective date of such wards for city primary, preliminary and general elections under said Chapter fifty-four, such wards rather than districts shall be the units used for the election of those City Council or School Committee members who are not elected at large throughout the city. The City Council shall adopt an ordinance providing for signature requirement for nomination papers for candidates for City Council but, in no event shall this requirement exceed two percent of the vote cast in the preceeding mayoral election in the respective district.

SECTION 4. If, within the time prescribed by Section three of this act, the City Council shall fail to make a division of the city into said districts, as required by that Section, the Mayor of such city in any city having a mayor elected by the people, or the City Clerk in any city having a council-manager form of government, shall propose a plan of districts in the required number to the local election district review commission, which shall approve the same with or without amendments as it deems appropriate and necessary to meet constitutional requirements, after a public hearing.

SECTION 5. After the adoption by any city of a plan of City Council organization authorized by this act, the dates of municipal elections and the municipal year, of such city shall be governed by Section fifteen of Chapter forty-three of the General Laws.

SECTION 6. Every City Councillor who is elected to represent an individual district or ward shall have been an inhabitant of a place within the district or ward for which he is chosen for at least one year immediately preceding his election; and he shall cease to represent such district or ward when he shall cease to be an inhabitant thereof.

SECTION 7. Section 129 of the Chapter 43 of the General Laws, as a-pearing in Section 3, of Chapter 549 of the Acts of 1977, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:

"In subsequent years, either or both of the above questions shall be placed upon the ballot of a regular municipal or biennial state election in any city by a petition addressed to the City Council of such city, signed by qualified voters of the city in a number equal to at least five per cent of the number of registered voters in said city at the state election

"next preceeding the filing of said petition. Such petition shall be filed with the City Clerk or the State Secretary, as the case may be, who shall transmit the same forthwith to the registrars of voters or city body functioning as such, who shall, within sixty days, certify the signatures thereon in accordance with the provisions of law and return the same to the City Clerk. The petition shall be filed with the City Clerk at least one hundred and forty days before the date of the election at which the question or questions proposed by the petition is to be submitted to the voters.

SECTION 8. Section 130 of said Chapter 43, as so appearing, is hereby amended by inserting after the word "election", in line 2, the words: "or biennial state election".

SECTION 9. Section 131 of siad Chapter 43, as so appearing, is hereby amended by inserting after the work "election", in line 3, the words: "biennial state election.

SECTION 10. This act shall take effect upon its passage.

GENERAL LEGISLATION

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

044

AN ACT

PROHIBITING THE ATTACHMENT OF RIDERS TO BILLS BEFORE THE HOUSE OF REPRESENTATIVES.

yes

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

THERE SHALL BE NO RIDERS ATTACHED TO ANY BILL THAT IS TO BE ACTED ON IN THE HOUSE OF REPRESENTATIVES, ONLY TO ACT ON BILLS AND THE BILLS ONLY. RIDERS ARE NOT ONLY A BAD PRACTICE, BUT THEY CAUSE THE PASSING OF MANY BAD BILLS.

Joseph Koczera

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

046

AN ACT TO ESTABLISH A PERMANEND SUB-COMMITTEE ON GENERAL LEGISLATION

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The Silver-Haired Legislature will establish a sub-committee of Committee on General Legislation for the purpose of analysing all legislation relating to elders when reported favorably out of committee for further action.

SECTION 2. This sub-committee on General Legislation will consist of seven (7) elected Silver-Haired Legislators, five (5) from the House of Representatives and two (2) from the Senate with an equal number of alternates.

SECTION 3. This sub-committee will operate in conjunction with the General Court.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

COMMITTEE ON HEALTH

CONSIDERS ALL MATTERS CONCERNING HEALTH CARE INCLUDING RATE SETTING, LICENSING, CERTIFICATES OF NEED, HEALTH PROGRAMS INCLUDING MEDICAID.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

047

AN ACT

REQUIRING HOME CARE SERVICES TO BE INCLUDED IN GROUP HEALTH INSURANCE POLICIES, GROUP HOSPITAL SERVICE CONTRACTS, AND GROUP MEDICAL SERVICE CONTRACTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

I WOULD LIKE TO HAVE PEOPLE REQUIRING HOME CARE SERVICES HAVE THE GROUP HEALTH INSURANCE INSTEAD OF HAVING TO PAY IN A NON-GROUP, THIS WOULD CREATE A SAVINGS FOR THE ELDERLY.
HAVING GROUP MEDICAL SERVICE CONTRACTS WOULD ENABLE THE ELDERLY NEEDING MEDICAL ATTENTION TO HAVE IT WITHOUT CAUSING A CUT IN SOCIAL SECURITY CHECKS AND PUTTING OFF NEEDED ATTENTION TO THEIR PERSONAL HEALTH PROBLEMS, AND HAVING HELP TO BE ABLE TO STAY IN THEIR OWN HOMES AND NOT REQUIRE THE SERVICES OF NURSING HOMES.

Beatrice Beauregard

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~XXXXXXX~~ EIGHTY-ONE.

AN ACT RELATIVE TO INSURANCE REIMBURSEMENT FOR CERTAIN MENTAL HEALTH SERVICES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 4A of chapter 176B of the General Laws is hereby amended by striking out clause (c) and inserting in place thereof the following clause:-

(c) In the case of outpatient benefits these shall cover eighty percent of the charges, to the extent of seven hundred and fifty dollars over a twelve-month period, services furnished (1) by a comprehensive health service organization, (2) by a licensed or accredited hospital (3) or subject to the approval of the department of mental health services furnished by a community mental health center or other mental health clinic or day care center which furnishes mental health services or (4) consultations or diagnostic or treatment sessions, provided that such services under this clause are rendered by a psychotherapist or by a psychologist licensed under the provisions of chapter one hundred and twelve. For purposes of this clause "psychotherapist" shall mean a person fully licensed to practice medicine under the provisions of chapter one hundred and twelve, who devotes a substantial portion of his time to the practice of psychiatry.

Mary O'Brien

NOTE. -- Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

049

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT

Authorizing the Department of Community Affairs to establish a so-called "Vial of Life" Program.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Section 40 of Chapter 121B is hereby amended by adding the following clause: (h) The Department shall, after consultation with the Secretary of Elder Affairs, promulgate rules and regulations for the establishment of a program which shall provide for the gathering, in a central location within the residence of each elderly tenant, of certain pertinent and vital information about the individual elderly tenant, which information would, in all likelihood, be helpful to a rescue squad, ambulance crew, law enforcement personnel or any person who might give medical assistance in an emergency. Such information shall include, but not be limited to, the following: the name, address, blood type and date of birth of the tenant; the name and telephone number of the family doctor; the health status of the tenant with particular reference to any allergies which the tenant has, to any medication which the tenant may be taking and to the question of whether or not the tenant has diabetes; the name, address and telephone number of the person to be notified in case of emergency.

The Department, subject to appropriation, shall provide, as part of said program, for the uniform distribution to each elderly tenant of a printed form which will facilitate the listing of such pertinent and vital information; and the Department, subject to appropriation, shall also provide to each elderly tenant a plastic container, similar in size to the so-called "Vial of Life" container, which container shall be suitable for the storage of the completed form containing the pertinent and vital information.

Chadbourne Ward

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-ONE

AN ACT TO REGULATE MEDICAL TREATMENT BY THE USE OF THE LIVING WILL

Passed.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after Section 70e the following:

Section 70f. a) The law and the various religions recognize the fundamental right of a conscious adult to make his or her own decisions on medical treatment. In order that the rights of patients may be respected, in the event that they are no longer able to participate actively in decisions relating to the rendering of their own health care, the Legislature, in order to provide specific safeguards for the patient, the family, the physician, and the nurse, hereby declares that the Laws of the Commonwealth of Massachusetts shall recognize the right of adult persons of sound mind to make known in writing the desire that if they are diagnosed to have a terminal illness their physician shall withdraw or withhold artificial procedures that will serve to prolong the moment of death.

Martha Jabir

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

b) The following definitions shall be used in this act:

(1) "Attending physician" means any person licensed to practice medicine under Chapter 112 of the General Laws and who has been selected by and assigned to the treatment and care of the patient.

(2) "Health care facility" means any medical procedure or intervention which utilizes mechanical or other artificial means to sustain, restore or supplant a vital function, which, when applied to a qualified patient would serve only to artificially prolong the moment of death and where, in the judgement of the attending physician, death is imminent. Life sustaining procedure shall not include the administration or medication or the performance of and medical procedure deemed necessary to provide comfort care.

(4) "Qualified Patient" means a patient who has executed a declaration as defined in paragraph 6 of this subsection and who has been diagnosed and certified in writing to be afflicted with a terminal condition by two physicians who have personally examined the patient, one of whom shall be the attending physician.

(5) "Terminal Condition" means an incurable condition caused by injury, disease, or illness which, regardless of the application of life substaining procedures serve only to postpone the moment of death of the patient.

(6) "Declaration" means a witnessed document in writing, voluntarily executed by the declarant in accordance with the requirements of subsection c of this act.

c) Any individual of sound mind, eighteen years of age or older, may execute a declaration directing that no life-sustaining procedures be utilized for the prolongation of his or her life by either signing such a declaration or expressly directing a person to sign in his or

her presence.

Such declaration shall be signed in the presence of two subscribing witnesses who are not 1) related to the declarant by blood or marriage, 2) entitled to any portion of the estate of the declarant under any will of the declarant, by operation of law then existing, 3) a claiment against any portion of the estate of the declarant at the time of his decease at the time of the execution of the declaration, or 4) directly financially responsible for the declarant's medical care.

The declarant shall notify his attending physician of the existence of the declaration. An attending physician who is so notified by the declarant or by any person who has possession of said declaration, shall make the declaration, or a copy of the declaration, a part of the declarant's medical records.

Such declaration shall remain in effect for a period not to exceed 10 years from the date of execution. In the case of an individual rendered incapable of re-execution, said declaration shall remain in effect until such time as the individual's condition renders him or her capable of communicating intent to reinstitute the declaration. Any individual may re-execute a declaration, in accordance with the provisions of theis section.

DECLARATION

Declaration made this_____day of_____(month, year). I, _____, being of sound mind, willfully and voluntarily make known my desire that my dying shall not be artificially prolonged under the circumstances set forth below, do hereby declare:

If at any time I should have an incurable disease, injury, or illness certified to be a terminal condition by two physicians who have personally examined me, one of whom shall be my attending physician, and the physicians have determined that my death will occur wheather or not life-sustaining procedures would serve only to artificially prolong the moment of death, I direct that such procedures be withheld or withdrawn, and that I be permitted to die naturally with only the administration of medication or the performance of any medical procedure deemed necessary to provide me with comfort care.

In the absence of my ability to give directions regarding the use of such life-substaning procedures, it is my intention that this declaration shall be honored by my family and the physician(s) as the final expression of my legal right to refuse medical or surgical treatment and accept the consequenses from such refusal.

If I have been diagnosed as pregnant and that diagnosis is known by my physician, this declaration shall have no force or effect during the course of my pregnancy.

I understand the full import of this declaration and I am emotionally and mentally competent to make this declaration.

Signed_____

City, County and State of Residence_____

The declarant has been personally known to me and I believe him to be of sound mind.

Witness_____

Witness_____

d) A declaration may be revoked at any time by the declarant, without regard to his or her mental state or competency, by any of the following methods:

(1) By being canceled, defaced, obliterated, or burnt, torn, or otherwise destroyed by the declarant or by some person in his or her presence and by his or her direction.

(2) By a written revocation of the declarant expressing his or her intent to revoke, signed and dated by the declarant. The attending physician shall record in the patient's medical record the time and date when he or she received notification of the written revocation.

(3) By verbal expression by the declarant of his or her intent to revoke the declaration. Such revocation shall become effective upon communication to the attending physician by the declarant by a person who is reasonably believed to be acting on behalf of the declarant. The attending physician shall record in the patient's medical record the time, place and date of the revocation and the time, date and place, if different, of when he or she received notification of the revocation.

e) An attending physician who has been notified of the existance of a declaration executed under this act shall without delay after the diagnosis of a terminal condition of the declarant, take the necessary steps to provide for written certification and confirmation of the declarent's terminal condition, so that declarant may be deemed to be a qualified patient, as defined in subsection b paragraph 4 of this act.

f) The desires of a qualified patient who is competent shall at all times supersede the effect of the declaration.

If the qualified patient is incompetent at the time of the decision to withhold or withdraw the life-sustaining procedures, a declaration executed in accordance with subsection c of this act is presumed to be valid. For the purpose of this act, a physician or health care facility may presume in the absence of actual notice to the contrary that an actual individual who executed a declaration was of sound mind when it was executed. The fact of an individual's having executed a declaration shall not be considered as an indication of a declarant's mental incompetency. Age of itself shall not be a bar to a determination of competency.

In the absence of actual notice of the revocation of the declaration, none of the following, when acting in accordance with the requirements of this act, shall be subject to civil liability therefrom, unless negligent, or shall be guilty of any criminal act of unprofessional conduct.

(1) A physician or health facility which causes the withholding or withdrawal of life-sustaining procedures from a qualified patient.

(2) A licensed health professional, acting under the direction of a physician, who participates in the withholding or withdrawal of life-sustaining procedures.

g) (1) An attending physician who refuses to comply with the declaration of a qualified patient pursuant to this act shall make the necessary arrangements to effect the transfer of the qualified patient to another physician who will effectuate the declaration of the qualified patient. An attending physician who fails to comply with the declaration of a qualified patient or to make the necessary

arrangements to effect the transfer shall be civilly liable.

(2) Any person who willfully conceals, cancels, defaces, obliterates, or damages the declaration of another without such declarant's consent or who falsifies or forges a revocation of the declaration of another person or willfully conceals or withholds personal knowledge of a revocation as provided in subsection d, with the intent to cause a withholding or withdrawal of life-sustaining procedures contrary to the wishes of the declarant and thereby because of such act directly causes life-sustaining procedures to be withheld or withdrawn and death thereby hastened, shall be subject to prosecution for unlawful homicide.

h) (1) The withholding or withdrawal of life-sustaining procedures from a qualified patient in accordance with the provisions of this act shall not, for any purpose, constitute a suicide.

(2) The making of a declaration pursuant to Section 3 shall not affect in any manner the sale, procurement, or issuance of any policy of life insurance, nor shall it be deemed to modifiy the terms of an existing policy of life insurance. No policy of life insurance shall be legally impaired or invalidated in any manner by the withholding or withdrawal of life-sustaining procedures from an insured qualified patient notwithstanding any term of the policy to the contrary.

(3) Nothing in this Act shall be construed to condone, authorize or approve mercy killing, or euthanasia, or to permit any affirmative or deliberate act or omission to end life other than to permit the natural process of dying.

(4) This act shall create no presumption concerning the intention of an individual who has not executed a declaration to consent to the use or withholding of life-sustaining procedures in the event of a terminal condition.

(5) Notwithstanding the provision of any court decision to the contrary a judicial order shall not be required in order for a physician or health care facility to act in reliance on a declaration executed under this act.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

AN ACT

To establish a code of ethics for a program of voluntary euthanasia

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

No person terminally ill shall be denied the right to voluntary euthanasia. That, such life and death decisions, should be made by the patient's family and attending physicians and not placed in the hands of the courts. All support, medical, legal, religious and social shall be acceptable in such a program.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

052

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

4053

Priority #1

AN ACT

FOR THE PROTECTION OF PATIENTS OF LONG TERM CARE FACILITIES.

Passed House

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter one hundred eleven of the General Laws is hereby amended by inserting the following sections after section seventy-two E: —

Section 72F. Definitions

The following words and phrases as used in section seventy-two F through seventy-two M, unless a different meaning is required by the context or is specifically provided, shall have the following meanings:

"Commissioner", means the commissioner of public health.

"Department", means the department of public health.

"Emergency", means a situation or condition which presents imminent danger of death or serious physical harm to patients, including but not limited to imminent or actual abandonment of an occupied facility, and excluding a crisis due solely to a natural disaster beyond the control of the licensee where the licensee is taking appropriate remedial steps. An organized labor activity conducted for union recognition or as a tactic in contract negotiations shall not, of itself, constitute an emergency.

"Facility", any institution subject to licensing under section seventy-one.

"Licensee", any person, other than a receiver appointed under section seventy-two G, who is licensed or required to be licensed to maintain a facility under section seventy-one.

"Owner", the holder of the title to the real estate in which the facility is maintained.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

"Patient", any person residing in a facility.

"Person", a natural person, family group, corporation, partnership, trust, association, organization or society.

"Rate Setting Commission", the rate setting commission established under section thirty-one of chapter six A.

"Related party", any person with an ownership interest in the facility; or any person which controls or has the ability to directly or indirectly control to any significant degree the management or policies of the licensee or the facility; or any person related to the licensee or to the facility by any significant degree of common ownership or common control. A mortgagee or other secured party shall not be considered a related party solely because of the existence of a mortgage or other secured transaction with respect to the facility or the licensee.

Section 72G. Appointment of Receiver

(a) The following circumstances shall be grounds for the appointment of a receiver to operate a facility: (1) the facility is operating without a license or without a valid, completed application for licensure on file with and awaiting action by the department; (2) the department has denied, revoked or refused to renew a license to operate the facility; (3) the existence of an emergency; (4) the department has initiated license denial, revocation or non-renewal procedures and the lives, health, safety or welfare of the patients cannot be adequately assured pending a full hearing and decision on the matter.

(b) The department, or the attorney general acting in the public interest, may bring an action in superior court requesting the appointment of a receiver to operate a facility for any of the reasons set forth above. Any other state governmental agency having an interest in the matter, or a resident or guardian of a resident, may petition the department or the attorney general to seek a receivership under this section. If the department or the attorney general denies such petition or fails to commence action within five days, the party bringing the petition may bring suit in superior court for the appointment of a receiver, or other appropriate relief, under this section.

(c) The court shall issue a short order of notice and,

where an emergency is alleged, set the matter for hearing within five days after filing of the action. In all other cases, a hearing shall be set within two weeks. The court shall appoint a receiver if it finds that any one of the grounds for appointment set forth above exist. Notwithstanding the foregoing, a receiver shall be appointed immediately, on an exparte basis, if it appears by verified complaint or by affidavit that there are grounds for the appointment of a receiver and that immediate appointment is necessary to prevent harm to patients.

(d) The court may appoint as a receiver any person appearing on a list developed for this purpose by the commissioner and the secretary of elder affairs after consultation with representatives of the nursing home industry. With the assent of the commissioner, the department may be appointed as receiver in an emergency, if, after diligent search, no other person is available to serve. The department shall be replaced as received at the earliest date that a suitable alternative shall be found.

(e) The purpose of a receivership created under this section shall be to safeguard the health, safety and continuity of care to patients and to protect them from the adverse health effects and increased risk of death caused by abrupt or unsuitable transfer. A receiver appointed hereunder shall not take any actions or assume any responsibilities inconsistent with this purpose.

(f) No person shall impede the operation of a receivership created under this section. There shall be an automatic stay for a sixty day period subsequent to the appointment of the Receiver of any action that would interfere with the functioning of the facility, including but not limited to cancellation of insurance policies executed by the licensee, termination of utility services, attachments or set-offs of patient trust funds and working capital accounts, and repossession of equipment used in the facility.

Section 72H. Certain Powers and Duties of Receiver

(a) The licensee shall be divested of possession and control of the facility in favor of the receiver. With the approval of the court, the receiver shall have authority to (1) remedy violations of federal and state law and regulations governing

the operation of the facility; (2) hire, direct, manage and discharge any consultant or employees, including the administrator of the facility; (3) receive and expend in a reasonable and prudent manner the revenues of the facility; (4) continue the business of the home and the care of the patients in all its aspects; (5) do those acts necessary or desirable to accomplish the purpose of the receivership; (6) perform regular accountings and make periodic reports to the court; and (7) exercise such additional powers and perform such additional duties, as the court may deem appropriate.

(b) The receiver shall apply the current revenues of the facility to current operating expenses and, subject to the following provisions, to debts incurred by the licensee prior to the appointment of the receiver. The receiver shall ask the court for direction in the treatment of debts incurred prior to this appointment where such debts appear extraordinary, of questionable validity, or unrelated to the normal and expected maintenance and operation of the facility, or where payment of such debts will interfere with the purposes of the receivership. Priority shall be given by the receiver to expenditures for current, direct patient care, including nursing care, social services, dietary services, and housekeeping.

(c) Revenues held by or owing to the receiver in connection with the operation of the facility shall be exempt from attachment and trustee process. Any retroactive payment that may be due or owing to the facility as the result of a retroactive rate adjustment shall be disposed of in accordance with the orders of the court, after it considers competing claims to the money.

(d) The receiver may not close the facility without leave of court. In ruling on the issue of closure, the court shall consider (1) the best interest of the patients, and the possibility of transferring them to suitable, alternative placements; (2) the rights, interests and obligations of the licensee, the owner, and the mortgagees; (3) the licensure status of the facility; (4) the condition of the real estate with respect to state and federal construction requirements; and (5) any other factor which the court deems relevant.

(e) If the court has approved closure of the facility, major repairs to the real estate in which the facility operates, its fixtures and its furnishings, shall be made only to the extent necessary to prevent or remove jeopardy to the health, safety or welfare of the patients. If the court has not directed closure of the facility, such repairs may be made to the extent necessary to prevent or remove jeopardy to the health, safety or welfare of patients or to minimize minimally qualify the facility for continuing participation in the State Medical Assistance program or in the Medicare program.

(f) In the event that a receiver appointed under section seventy-two G does not have sufficient capital to advance for major repairs or improvements, the receiver may petition the court for permission to apply to the department for a loan. Notice shall be given to the owner of the real estate, the licensee, the department, and to any mortgagees or lienholders of record. The court, shall consider the factors in paragraph (d) above, and after hearing, shall authorize the receiver to apply for such assistance if (1) it determines that the facility should not be closed, and the commissioner certifies that the repair or improvement is necessary to prevent or remove jeopardy to patients or to minimally qualify the facility for participation in the State Medical Assistance program or in the Medicare program; or (2) it determines that the facility should be closed and the commissioner certifies that the repair or improvement is necessary to prevent jeopardy to patients for the limited period of time that they are awaiting transfer. The purposes of this provision shall be to protect patients and to prevent the closure of facilities which, given proper management, are likely to be viable operations. This section shall not be construed as a method of financing major capital improvements to facilities which have been abandoned because the licensee has been unable to secure financing by conventional means.

(g) Upon court approval, application for financial assistance shall be made to the department, which shall administer such funds as the legislature may appropriate for this purpose. The court may set a reasonable rate of interest to be paid by the receiver to the department.

(h) The licensee may apply to the court to determine the reasonableness of any expenditure by the receiver.

Section 72I. Avoidance of preexisting Leases, Mortgages and Contracts

(a) A receiver may not be required to honor any lease, mortgage, or secured transaction entered into by licensee of the facility if the court finds that one of the following conditions exists: (1) the agreement was entered into with a person who was a related party at the date of the execution; or (2) the rental, price or rate of interest required to be paid under the agreement is in excess of a reasonable rental, price or rate of interest; or (3) the agreement is unrelated to the operation of the facility.

(b) If the receiver is in possession of real estate or goods subject to a lease, mortgage or security interest which the receiver is permitted to avoid under paragraph (a) of this section, and if the real estate or goods are necessary for the continued operation of the facility under this section, the receiver shall apply to the court to set a reasonable rental, price or rate of interest to be paid by the receiver to the person entitled thereto during the duration of the receivership. The court shall hold a hearing on the application within 15 days. The receiver shall send notice of the application to any known owners and mortgagees of the property involved at least 10 days prior to the hearing. In no event shall the amount set by the court exceed what is reasonable for the facility in light of the usual regulations of the rate setting commission and the private census of the facility. Payment by the receiver of the amount determined by the court to be reasonable is a defense to any action against the receiver for payment or for the possession of the goods or real estate subject to the lease or mortgage involved by any person who received such notice.

(c) Notwithstanding the foregoing, there shall be no foreclosure or eviction during the receivership period either (1) by a person described in paragraph (a)(1) of this section; or (2) by any other person where such foreclosure or eviction would, in the view of the court, serve to defeat the purpose of the receivership.

Section 72J. Expenses of Receivership; Liens

(a) The court shall set a reasonable compensation for the receiver that is consistent with the regulations of the Rate Setting Commission, and shall require the receiver to furnish a bond. Such expenses shall be paid from the revenues of the facility.

(b) The license shall be liable for any adjustment to the facility's rate that is necessitated by the provisions of paragraph (a) above.

(c) The commonwealth shall have a lien for any expenditure under section seventy-two H, subsection (f), upon the following property: (1) the building in which the facility is located; (2) the land on which the facility is located; (3) any fixtures, equipment or goods used in the operation of the facility.

(d) The lien provided by paragraph (c) is prior to any lien or other interest except for first and second mortgages held by persons who were not related parties at the date of execution.

(e) The receiver shall cause notice of any lien created hereunder to be duly filed.

(f) As an additional remedy for recouping commonwealth expenditures under section seventy-two H, the licensee, persons responsible for the affairs of the licensee, or the owner, may be held liable for such expenditures to the extent that any of these persons benefits financially from the expenditure. Recoupment shall also be available against any person who, prior to the appointment of the receiver, breached a legal responsibility to assure appropriate maintenance of the facility, if such breach necessitated the expenditure by the commonwealth, and against any person who was responsible for an abandonment of the facility.

Section 72K. Termination of Receivership

(a) A receivership shall not be terminated if (1) a license to operate the facility would not be in effect upon termination; or (2) the facility would revert to the licensee during the pendency of proceedings to revoke, deny, or suspend its license; or (3) the facility would revert to a person not approved for licensure by the Department.

(b) The court may terminate a receivership under the following conditions; (1) The Department grants a license to operate the facility to the licensee divested of possession and control by the receivers;or (2) there is a transfer of ownership of the facility to a transferee approved for licensure by the department; or (3) all patients of the facility have been provided appropriate alternative placements, either in another facility or otherwise, and the subject facility is closed.

(c) Notwithstanding the previous paragraph, a receivership shall not be terminated in favor of the former licensee (or, in the discretion of the court, a related person) unless (1) such person first makes restitution to the department of public welfare of any rate increases for the receiver's compensation paid to the home pursuant to section thirty-two A of chapter six A of the General Laws; and (2) such person makes restitution to the department of public health of any amount that it may have paid to the receiver pursuant to section seventy-two H, subsection e.

(d) As an additional precondition to termination in favor of the former licensee (or in the discretion of the court, a related person) the court may require the posting of a bond in an amount fixed by the court as security for maintaining compliance with the laws and regulations governing the operation of the facility. If it shall appear that the licensee fails to maintain the facility in substantial compliance with such laws and regulations, the court, after notice to those persons who have appeared in the proceeding, and after hearing, shall reinstate its order appointing a receiver. A receiver thus appointed may use the security, or such part of the security as is necessary, to remedy the deficient conditions. A receivership thus reinstated shall be terminated only upon transfer of the facility to a purchaser approved by the department and the court, or upon closure of the facility.

(e) If the receivership has not been terminated within twelve months of the appointment of the receiver, the court shall after consideration of the factors set forth in paragraph (d) of section seventy-two H, and after hearing, order either that (1) the facility shall be closed, after an orderly transfer

of the patients to appropriate alternative placements; or (2) the facility shall be sold, under reasonable terms approved by the court, to a new owner approved for licensure by the department. The receivership period may be extended as necessary to protect the health and safety of patients.

Section 72L. Liability of Receiver, Compensation

(a) No person shall bring suit against a receiver appointed under section seventy-two G without first securing leave of court. The receiver shall be liable in his personal capacity for gross negligence or intentional wrong-doing. In all other cases, the receiver shall be liable in his official capacity only, and any judgment rendered shall be satisfied out of the receivership assets.

(b) Where the department is appointed receiver, its employees shall have the liability of public employees in carrying forth the receivership.

Section 72M. Compliance with Licensee Requirements by Receiver

An order appointing a receiver under section seventy-two G shall have the effect of a license for the duration of the receivership. The receiver shall be responsible to the court for the conduct of the facility during the receivership, and any violation of regulations governing the conduct of the facility, if not promptly corrected, shall be reported by the department to the court.

Section 72N. Rule-Making Authority to Implement Receivership Law

The department shall have authority to adopt regulations as necessary to implement sections seventy-two G to section seventy-two M.

SECTION 2. Section seventy-two of chapter one hundred eleven of the General Laws, as most recently amended by chapter 877 of the acts of 1975, is hereby further amended by inserting the following sentence at the end of said section: —

The superior court shall have jurisdiction in equity to

enforce the rules and regulations promulgated under this section.

SECTION 3. Chapter six A of the General Laws is hereby amended by inserting the following section after section thirty-two: —

Section 32A. Treatment of Receivership Created Under Chapter One Hundred Eleven of the General Laws

Upon petition of a receiver appointed under section seventy-two G of chapter one hundred eleven of the General Laws, the commission shall, in accordance with regulations to be promulgated hereunder, adjust the facility's rate, if necessary to insure compensation of the receiver and payment for a bond. Such adjustment shall not be in effect where the licensee is under the jurisdiction of the United States Bankruptcy Court.

SECTION 4. The provisions of this act are severable, and if any provisions shall be held unconstitutional by any court of competent jurisdiction, the decisions of such court shall not effect or impair any of the remaining provisions.

The Commonwealth of Massachusetts

053

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

AN ACT

providing short term receivership of those nursing homes which have consistently and frequently abused public health regulations designed to protect residents

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

/ a nursing home regularly and frequently cited by the Consumer Advocates for Better Care shall be subject to short term receivership until such complaints are resolved

/ upon termination of the short term receivership, said nursing home must demonstrate its improved health care services to appropriate supervisors over a probationery period of two years

/ if complaints of a similar nature, and of frequent duration, are again received by the Consumer Advocates for Better Care after the probationary period, said nursing home is liable for loss of license to operate a facility for the care of the elderly and infirm

Nona Green Reg'd

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HEALTH

054

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

AN ACT DIRECTING AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION INVOLVING MEMBERS OF THE SENATE, HOUSE, COMBINED DEPARTMENTS OF MASSACHUSETTS PUBLIC HEALTH AND MASSACHUSETTS PUBLIC EDUCATION AND GUBERNATORIAL APPOINTEES OF VISUAL SENSORY BLINDNESS AND ITS COMPONENTS AS IT AFFECTS THE GENERAL POPULATION, THE LEGALLY BLIND, THE NEWLY BLIND, CEREBRAL HEMORRHAGE VICTIMS AND THE LEARNING DISABLED, BOTH ADULTS AND CHILDREN FOR COST CONTAINMENT AND PREVENTIVE MEDICAL REASONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Not withstanding the provisions of any general or special law to the contrary, a special commission consisting of three members of the senate, five members of the house of representatives, the commissioner of public health, the commissioner of education, or their designees and six persons appointed by the governor, one of whom shall be a person trained in education of the Visually Sensorially Blind and who is also Visually Sensorially Blind is hereby established for the purpose of making an investigation and study of the invisibly handicapped, whether congenitally or acquired accidentally, who are Visually Sensorially Blind, Word Blind, Partially Word Blind, or Letter Blind. Said commission shall investigate and study methods to improve an understanding of the facts of BLACK BLINDNESS, treatment of same, improved differential diagnosis, increased appropriate initial teaching,

Rose MacKenzie

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and appropriate rehabilitative teaching of the Legally Blind, the Newly Blind (reteaching), Cerebral Hemorrhage victims (rehabilitation) and the Learning Disabled - adults and children for Cost Containment and Preventive Medical reasons.

The Commonwealth of Massachusetts

055

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT REQUIRING HOSPITALS TO DISSEMINATE INFORMATION RELATIVE TO ALTERNATIVE HEALTH SERVICE PROVIDERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 70E of Chapter III of the General Laws, as most recently amended by Chapter 720 of the Acts of 1979, is hereby further amended by inserting after subparagraph (m) the following:

(n) to be informed of alternative health service providers including osteopathic physicians, cranial osteopaths, chiropractors, developmental optometrists, developmental otologists, nutrigeneticists, sublingual food allergists, doctors of ecological medicine, doctors of wholistic medicine, and other appropriate practitioners as are licensed or approved by the Commonwealth, whether or not such practitioners are members of the staff of the facility.

2. Section 70E of Chapter III of the General Laws, as most recently amended by Chapter 720 of the Acts of 1979, is hereby further amended by inserting after subparagraph (h) the following:

Raymond Rosbrough

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

(i) to be informed of alternative health service providers including osteopathic physicians, cranial osteopaths, chiropractors, developmental optometrists, developmental otologists, nutrigeneticists, sublingual food allergists, doctors of ecological medicine, doctors of wholistic medicine, and other appropriate practitioners as are licensed or approved by the Commonwealth, whether or not such practitioners are members of the staff of the facility.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT RELATIVE TO SPECIFIC BENEFITS TO MEDICAID RECIPIENTS.

Passed

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. of Chapter 118E of the General Laws, as most recently amended by Section 25 of chapter 1210 of the acts of 1973, is hereby further amended by adding the following paragraph: - The benefits of the program shall be expanded to include dentures, prosthetic devices (including pacemakers), corrective eyeglasses, hearing aids, and treatment of hearing disorders available to the elderly under Medicaid.

Cornelia Curtis

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The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

AN ACT

AN ACT AUTHORIZING AND DIRECTING THE SECRETARY OF HUMAN SERVICES TO ESTABLISH A PROPORTIONAL PAYMENTS PROGRAM FOR CERTAIN PERSONS SIXTY-FIVE YEARS OF AGE OR OLDER UNDER THE MEDICAID PROGRAM.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The secretary of human services is hereby authorized and directed to establish a program of proportional payments for Medical Assistance for eligible persons sixty-five years of age or older.

SECTION 2. The costs of health services and programs covered by Medical Assistance for persons eligible to participate under the proportional payments program as provided in section 1 shall be paid by the department of public welfare according to the provisions of section 3.

SECTION 3. (a) If a single individual has more than $7,000 of personal property and a married couple $8,000 but less than $8,000 for a single individual or $9,000 for a married couple, the department shall pay twenty-five percent of the costs for services covered by Medical Assistance.

(b) If a single individual has more than $4,000 of personal property and a married couple $5,000 but less than $7,000 for a

Helen Barrett

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single individual or $8,000 for a married couple, the department shall pay fifty percent of the costs for services covered by Medical Assistance.

(c) If a single individual has more than $2,000 of personal property and a married couple $3,000 but less than $3,000 for a single individual or $4,000 for a married couple, the department shall pay seventy-five percent of the costs for services covered by Medical Assistance.

(d) If a single individual has less than $2,000 of personal property and a married couple less than $3,000, full costs for services covered by Medical Assistance shall be paid by the department.

SECTION 4. All other eligibility requirements under the Medical Assistance program shall be met by persons eligible for benefits under this chapter.

SECTION 5. Any person covered by the provisions of this chapter shall file an annual statement, under the pains and penalties of perjury stating his or her net income and personal property.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

AN ACT

AN ACT ESTABLISHING THE BOARD OF REGISTRATION OF THE SPECIALTY OF HEARING AID FITTING AND SALES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Chapter 13 of the General Laws is hereby amended by adding under the caption BOARD OF REGISTRATION OF THE SPECIALTY OF HEARING AID FITTING AND SALES, the following three sections: —

Section 80. There shall be a board of registration of the specialty of hearing aid fitting and sales, in this section and in sections eighty-one and eighty-two called the board, consisting of seven members to be appointed by the governor for terms of four years. Three members of the board shall be residents of the commonwealth and shall include one consumer representative, one audiologist and one physician specializing in the ear. The remaining four members shall be hearing aid dealers who shall be either residents of the commonwealth or shall maintain their principle place of business in the commonwealth and who have practiced hearing aid fitting for not less than five years prior to their appointment, all of whom shall possess the qualifications described in section one hundred and thirty-three of chapter 112 and one of whom shall be a certified "Hearing Aid Audiologist" of the National Hearing Aid Society.

Section 81. The board shall hold at least two regular meetings in each year for the purpose of examining applicants for registration and the transaction of other business. As its first

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regular meeting in each year the board shall choose from their own members a chairman and a secretary.

Section 82. All fees received by the secretary of the board and not returned to the applicant shall be paid monthly to the state treasurer. Each member of the Board shall receive from the commonwealth twenty-five dollars for each day or portion thereof spent in attending board meetings, and each member shall be paid the necessary traveling and other expenses actually incurred by him in attending said meetings; provided, that such compensation and expenses and all other expenses incurred by the board, including secretarial, printing of tests and certificates, shall not in any year exceed the receipts from registration and licenses paid to the commonwealth by the board.

SECTION 2. Chapter 112 of the General Laws is hereby amended by adding under the caption REGISTRATION OF THE SPECIALTY OF HEARING AID FITTING AND SALES, the following fifteen sections:

Section 130. For the purpose of this section and sections one hundred and thirty-one to one hundred and forty-five, inclusive, the following words shall, unless the context requires otherwise, have the following meanings: —

"Audiologist", one who holds a valid and current certificate of clinical competency in audiology issued by the American Speech and Hearing Association or one who is licensed as an audiologist by the commonwealth.

"Board", the board of registration of the specialty of hearing aid fitting and sales, established under section eighty of chapter thirteen.

"Hearing aid", any wearable instrument or device designed for or represented as aiding or compensating for defective human hearing and any parts, attachments or accessories of such an instrument or device, but excluding earmolds, batteries, cords, and harnesses.

"Hearing aid fitter and dealer", one who holds a valid and current certificate of registration from the board. A registered hearing aid dealer or registrant shall not mean those who hold a temporary certificate of registration or a trainee permit.

"Physicians specializing in the ear", an otolaryngologist or otologist.

"Practice of fitting and dealing in hearing aids", those practices of testing human hearing used solely for the purpose of making selections and adaptations and the sale and dispensing for a fee of hearing aids, including the making of impressions for ear molds.

Section 131. Sections one hundred and thirty to one hundred and forty-five, inclusive, shall not prevent any person who is a physician licensed to practice in the commonwealth from treating persons or testing hearing aids to human ear, where it is incidental to his other medical treatment of the patient. Sections one hundred and thirty to one hundred and forty-five, inclusive, shall not apply to an audiologist, or to any person supervised by an audiologist, provided said audiologist or such person does not engage in the sale, dispensing for a fee, rental or leasing of hearing aids, nor to a person who is engaged in the practice of fitting hearing aids if such practice is part of the academic curriculum of an accredited institution of higher education, providing that person does not engage in the sale, dispensing for a fee, renting or leasing of hearing aids.

Section 132. The board shall make and publish necessary rules and regulations for the proper conduct of its duties, and shall keep a full record of its proceedings and keep a record of the names of all persons examined or registered by it, which shall be open to public inspection. The board shall, in cooperation with the department of public health, develop and, with the approval of the department of public health:

(1) Establish minimal equipment and procedures to be used in connection with the fitting and sale of hearing aids;

(2) establish the requirements for carrying out the periodic inspection and calibration of audiometric testing equipment; and

(3) adopt a code of ethics; and

(4) establish the conditions under which a person shall be referred by a hearing aid dealer to a physician specializing in the ear or an audiologist.

The board shall make an annual report containing a full and complete account of all of its official acts during the preceding year and setting forth the condition of hearing aid dealers and fitters in the commonwealth.

Section 133. Every person, before engaging in the practice of fitting and dealing in hearing aids in this commonwealth, shall make application to the board, on a form prescribed and furnished by it, for a certificate to practice the fitting and dealing in hearing aids. Said application shall be filed with the secretary of the board at least fifteen days before the date of examination and shall be accompanied by an examination fee of twenty-five dollars. Each applicant shall be at least eighteen years of age and of good moral character, and shall furnish the board with satisfactory proof that he has an education equivalent to a four-year course in a standard high school.

Section 134. Any person licensed by a hearing aid dealers and fitters board of any other state having at the time when such person obtained his license a standard equal to that of this commonwealth and which extends similar privileges to persons licensed by the commonwealth may be registered and issued a license without examination at the discretion of the board upon the payment of a fee of fifty dollars and the production to the board of such license obtained in such other state.

Section 135. The board may refuse to grant a certificate to any person who has been convicted of a felony or who has been guilty of unprofessional conduct and may, for any of said causes, after due notice and hearing, revoke a certificate already issued. Any person who wishes to make a complaint against a licensed hearing aid dealer or hearing aid fitter in training shall bring said complaint in writing to the attention of the board which shall implement by regulation a procedure for the swift and inexpensive resolution of said complaint. Nothing contained in this section shall preclude any person from obtaining injunctive relief or damages on account of a violation of the provisions of this chapter.

Section 136. The board shall examine each applicant as to his qualifications for the practice of fitting and dealing in hearing aids.

The qualifying examination shall consist of:

(1) tests of knowledge in the following areas as they pertain to the fitting of hearing aids: (a) basic physics of sound, (b) the human hearing mechanism, (c) structure and function of hearing aids; and (2) tests of proficiency in the following techniques as they pertain to the fitting of hearing aids: (a) pure tone audiometry, including air conduction testing and bone conduction testing, (b) live voice or recorded voice speech audiometry, including speech reception threshold testing and speech discrimination testing, (c) effective masking, (d) selection and adaption of hearing aids and testing of aids, and (e) the taking of earmold impressions.

Every applicant whom the board finds qualified to practice fitting and dealing in hearing aids shall be registered by the board, and a certificate of such registration signed by the chairman and secretary of the board shall be issued to such applicant. Said certificate shall entitle the person to whom it is issued to practice the fitting and dealing in hearing aids within the commonwealth and shall be publicly displayed at his principal office so long as he shall continue to fit or deal in hearing aids.

Section 137. No person shall engage in the sale or the dispensing for a fee or the practice of fitting hearing aids or display a sign or in any other way advertise or hold himself out as a person who practices the fitting of hearing aids unless he holds an unsuspended, unrevoked certificate of registration issued by the board in the manner provided in sections one hundred and thirty to one hundred and forty-five, inclusive.

Section 138. Every registered hearing aid dealer and fitter, upon commencing to practice, shall forthwith notify the board of his office address or addresses. Every registered hearing aid dealer and fitter practicing as aforesaid shall annually before April first pay to the board a license fee, of fifty dollars to meet the annual expenses of the board. Each registered hearing aid dealer and fitter shall promptly notify the board of any change in his office address or addresses, and from time to time shall furnish such other information to the board as it may require. The board may suspend the authority of any registered hearing aid fitter and dealer to practice for failure to comply with any of the above requirements. The board shall publish annually complete lists of the names and office addresses of all hearing aid dealers and fitters registered and practicing in the commonwealth, arranged alphabetically by name and also by the names of the towns where their various offices are situated.

Section 139. Registered hearing aid dealers and fitters may render services under the terms and provisions of the workmen's compensation and rehabilitation laws.

Any person registered under sections one hundred and thirty to one hundred and forty-five inclusive, may have his certificate of registration revoked or suspended for a fixed period by the board for any of the following causes: —

(1) conviction of a felony, under the laws of any state or of the United States;

(2) fraud or decit in obtaining a certificate of registration;

(3) gross incompetence or negligence in the practice of fitting and dealing in hearing aids;

(4) unethical conduct, including (a) the obtaining of any fee or the making or attempting to make any sale of any hearing aid by fraud or misrepresentation, (b) the employment, directly or indirectly, of any suspended or unregistered person to perform any work covered by sections one hundred and thirty to one hundred and forty-five, inclusive, (c) the use of or causing or promoting the use of any advertising matter, promotional literature, testimonial, guarantee, warranty, label, brand, insignia or any other representation, however disseminated or published, which is misleading, deceiving improbable or untruthful, (d) the advertising of a particular model type or kind of hearing aid for sale when purchasers or prospective purchasers responding to the advertisement cannot purchase or are dissuaded from purchasing the advertised model type or kind where the purpose of such an advertisement is to obtain prospects for the sale of a different model type or kind than that advertised, (e) the false representation that the services or advice of a person licensed to practice medicine will be used or made available in the selection, fitting, adjustment, maintenance or repair of hearing aids, the inaccurate use of the word "doctor," "clinic" or other like words, abbreviations or symbols which tend to connote the medical profession or the false representation that the services or advice of an audiologist, as defined in section one hundred and thirty will be used or made available, (f) the dispensing and selling of a hearing aid to an individual under the age of eighteen who, within a period of six months, has not received an otologic examination by a licensed physician and an evaluation by an audiologist, with the exception of such cases as require a replacement of an identical instrument within a year's time, (g) habitual intemperance, (h) the permitting of another to use his certificate, (i) indiscriminate or random canvassing;

(5) the advertising of professional superiority; (6) the practice of the fitting of hearing aids under a false or alias name with fraudulent intent; and (7) any violation of the provisions of this chapter; and (8) any violation of any of the Trade Practice rules for the Hearing Aid Industry, as promulgated by the Federal Trade Commission July 20, 1965, or as amended; (9) fee-splitting or kickbacks on referrals from physicians, optometrists, clinical audiologists or other professional and scientific practitioners.

Section 140. No person shall (1) sell, barter or offer to sell or barter a certificate or registration, (2) purchase or procure by barter a certificate or registration with intent to use it as evidence of the holder's qualification to practice the fitting of hearing aids, (3) alter materially a certificate of registration with fraudulent intent, (4) use or attempt to use a certificate which has been purchased, fraudulently obtained, counterfeited or materially altered, or (5) wilfully make a false, material statement in an application for registration or for renewal of a certificate of registration.

Section 141. (1) The purchaser of a hearing aid may cancel the transaction and shall have the right to a refund if (a) the purchaser for whatever reason consults a physician specializing in the ear or an audiologist not engaged in the sale of hearing aids subsequent to purchasing a hearing aid and such physician or audiologist advises that no hearing aid is advisable for that purchaser and in writing specifies the medical and/or audiological reason for such advice and (b) the purchaser returns the hearing aid or holds it at the seller's disposal provided that the hearing aid is in its original condition less normal wear and tear; and (c) by sending notice of such cancellation to the registrant at his place of business by certified mail, return receipt requested, which shall be posted not later than forty-five days following the date of delivery. In the event of cancellation pursuant to this section the registrant shall refund to the purchaser within ten days after such cancellation all deposits including any down payment less ten percent of the total purchase price and less the reasonable price of ear molds, if any, and shall return all goods traded in to the registrant on account or in contemplation of the sale less any reasonable costs actually incurred in making ready for sale, goods so traded in and provided further that the purchaser shall incur no additional liability for such cancellation, (2) The purchaser of a hearing aid shall have the right of exchange for credit if (a) the purchaser for whatever reason consults a physician specializing in the ear or an audiologist not engaged in the sale of hearing aids subsequent to purchasing the hearing aid and such physician or audiologist advises such purchaser against purchasing or using this particular hearing aid and in writing specifies the medical and/or audiological reason for such advice; and (b) the purchaser returns the hearing aid or holds it at the seller's disposal: provided that the hearing aid is in its original condition less normal wear and tear; and (c) by sending notice of the request for exchange to the registrant at his place of business by certified mail, return receipt requested, which shall be posted not later than forty-five days following the date of delivery.

The right of refund or exchange for credit as set forth in this section shall be in addition to any other rights and remedies the purchaser may have and shall not apply to any purchaser who within six months prior to the purchase of the hearing aid, was examined and issued clearance for the hearing aid by a physician specializing in the ear or by an audiologist not engaged in the sale of hearing aids, and such purchaser provided the hearing aid dealer with a copy of the written recommendations of the physician or audiologist at the time of purchase.

Section 142. A registrant shall, upon consummation of a sale of a hearing aid or aids, deliver to the purchaser a written receipt which shall clearly state or refer to:

(1) The registrant signature, address of principle place of business, and license number.

(2) Specification as to the make, serial number, and model number of the hearing aid or aids sold.

(3) A statement as to the condition of the hearing aid or aids, whether such aid or aids are new, used or reconditioned.

(4) Full terms of sale including an itemized account showing individually the goods and services and the individual prices for them that go to make up the total amount charged the purchaser.

(5) The date of consummation of the sale.

(6) The terms of any guarantee or warranty, including the identity of the guarantor and the manner in which the guarantor will perform under the guarantee, the nature and extent of the guarantee including the right of the purchaser to a refund or an exchange for credit under the conditions specified in section 141 and any material conditions or limitations in the guarantee which are imposed by the guarantor.

(7) Unless on the face of the receipt there is set forth the name and certification number, if any, of the physician specializing in the ear or audiologist then in type no smaller than ten points the following statement must appear: "The purchaser has been advised that any examination or representation made by the hearing aid dealer in connection with the practice of fitting and selling a hearing aid is not an examination, diagnosis or prescription by a person licensed to practice medicine or by a audiologist.

(8) The name and address of the purchaser.

Section 143. For a period of not less than seven years, each registered hearing aid dealer shall, upon the consummation of a sale of a hearing aid, keep and maintain in his office or place of business at all times (1) the purchaser's written receipt as provided in section 142 and (2) all test results and pertinent customer correspondence including but not limited to any notice of cancellation or request for credit as provided in section 141 of this act.

Section 144. An applicant who has not previously applied to take the qualifying examination provided hereunder shall apply to the board for a trainee permit. Upon receiving such an application accompanied by a fee of ten dollars and a sworn statement from the registrant who will be the applicants supervisor that the supervisor accepts responsibilities for all acts of the applicant relating to the fitting and selling of hearing aids during the training program period, the board shall issue a trainee permit which shall entitle the applicant to practice the fitting of hearing aids under the direction of the supervisor for a period ending ten days after the conclusion of the next qualifying examination. No person holding a trainee permit as a hearing aid fitter shall be entitled to take the qualifying examination until he files a sworn form to be provided by the board certifying that he has (1) worked under the direct and personal supervision of the supervising registrant for fourteen days during which time the trainee may do testing for the proper selection and fitting of hearing aids and make ear impressions. During this period the trainee may not make final testing or do final fittings; (2) worked for an additional sixty days or until the time the next examination thereafter is given, whichever is longer, during which time the trainee may engage in all activities of a registrant except for final testing or final fitting but must work under the supervision of the supervising registrant. During this period, the extent of direction and supervision of the trainee shall be at the discretion of his supervising registrant.

The above stages must be completed with no interim time lapse between stages.

After such period has passed, the trainee shall take the qualifying examination given by the board for a certificate of registration and upon successfully passing said examination, may obtain a certificate of registration.

If a person who holds a trainee permit issued under this section does not take the next qualifying examination given after the date of issue, the trainee permit shall not be re-

newed, except for good cause shown to the satisfaction of the board. If a person who holds a trainee permit issued under this section takes and fails to pass the qualifying examination, the board may, upon receiving payment of the stipulated trainee permit fee, renew the trainee permit for a period ending ten days after the date of the next qualifying examination. Subsequent renewals also may be issued at the discretion of the board for good cause. A fee of five dollars shall be paid at the time the next qualifying examination is repeated.

At such time as a course in fitting and selling of hearing aids, as approved by the board, shall be established in the commonwealth, satisfactory completion of such course shall qualify the student to take the examination required by this act without complying with the requirements of the training program provided in this section. However, any person who completes the requirement of the training program, shall not be required to take any courses in order to take the examination.

Section 145. Whoever violates any provision of sections one hundred and thirty to one hundred and forty-five, inclusive, shall be punished by a fine or not more than five hundred dollars or by imprisonment for not more than ninety days, or both. Superior courts and district courts shall have concurrent jurisdiction of violations under sections one hundred and thirty to one hundred and forty-five, inclusive.

SECTION 3. Notwithstanding the provisions of section one hundred and thirty seven of chapter one hundred and twelve of the General Laws, added by section two of this act, any person who is engaged in the practice of fitting and dealing in hearing aids upon the effective date of this act shall, upon passing the certification examination of the National Hearing Aid Society and upon the payment of a fee of fifty dollars, be registered and issued a license without examination by the board of registration of hearing aid fitting and sales established by section eighty of chapter thirteen of the General Laws, added by section one of this act, if such person is a person of good moral character, eighteen years of age or older and has been engaged in the practice of fitting and dealing in hearing aids in the commonwealth for at least two years within the five-year period immediately prior to the effective date of this act; provided, that such person applies for a license to so practice within one hundred and eighty days of said effective date; and further provided that any person who has not passed the certification examination of the National Hearing Aid Society but otherwise qualifies for a license under the provisions of this section shall be granted a period of five years from the effective date of this act to pass the certification examination of the N.H.A.S. and during said five years he shall be granted a temporary license. Said temporary license shall not be renewed beyond the five year period.

SECTION 4. In making the original appointments to the board of registration of hearing aid fitting and sales established by section eighty of chapter 13 of the General Laws, inserted by section one of this act, the Governor shall appoint two members for terms of two years, three members for terms of three years and two members for terms of four years.

SECTION 5. If any section, subsection, subdivision, paragraph, sentence or clause of this act is held to be invalid or unconstitutional, such decision shall not affect the remaining portions of this act.

COMMITTEE ON HUMAN SERVICES AND ELDERLY AFFAIRS

CONSIDERS ALL MATTERS CONCERNING PUBLIC WELFARE, CHILDREN, THE ELDERLY, THE HANDICAPPED, AND ALL MATTERS OF SOCIAL SERVICE PROVISION.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

059

By Christine Christiansen

AN ACT To provide annual minimum and maximum funding to all Councils on Aging throughout the State

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. To require the Department of Elder Affairs to submit a budget request for the Council on Aging budget for fiscal year 1982.

Require the department to budget a minimum of $500. each year, and a maximum of $15,000. each year. The amount to be based on the number of people age 60 or over in each city or town.

To qualify the city or town must match the amount to be received from the state (in kind contributions may be debatable). The way the money is spent will be determined by the Council on Aging, determined by its local priorities.

The Council may feel free to plan programs that continue from one year to the next.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

060

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

AN ACT TO PROVIDE ANNUAL MINIMUM AND MAXIMUM FUNDING TO ALL COUNCILS ON AGING THROUGHOUT THE STATE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

The Department of Elder Affairs shall submit a budget request for the Council on Aging budget item for at least $1 million for funding year '82.

The Department of Elder Affairs will budget a minimum of $500 per annum and a maximum of $15,000 for each council on Aging.

The amount awarded to each council shall be based on a per capita number of elders in their municipality to a maximum of $15,000 and a minimum of $500 (no matter what the population).

In order to qualify for the award the municipality must match the dollar amount in real dollars.

Each council will determine its own local priorities and the manner in which the monies are to be used.

NOTE. — Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

Edward Greenberg

The Commonwealth of Massachusetts

061

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT For the allocation of State aid to municipal COUNCILS ON AGING

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 40 of the General Laws is hereby amended by inserting the following sections after Section 8B:

SECTION 8B(1) ENTITLEMENT FOR STATE AID

All municipal Councils on Aging duly established under this Chapter of the General Laws are entitled, as here-in-after provided, to receive state appropriated financial aid for the purpose of financing a part of the operation and programs of such Councils.

All such state aid shall be annually allocated to Councils on Aging by the Department of Elder Affairs in accordance with the formula and other criteria specified in the following sections:

SECTION 8B(2) ALLOCATION FORMULA

(a) The share of state aid allocated to each Council on Aging shall be based upon the proportional number of persons age sixty-five (65) and older residing in the municipality to the total number of persons age sixty-five (65) and older residing in the Commonwealth.

(b) As a result of elder population count, no municipal Council on Aging

Francis D. Langton

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

shall receive an amount of aid which is less than Five Hundred ($500) Dollars, nor more than Fifteen Thousand ($15,000) Dollars.

SECTION 8B(3) LOCAL CONTRIBUTION REQUIREMENT

To receive a state aid allocation as provided in Section 8B(2) each municipal Council on Aging must receive a specific local general fund appropriation which at a minimum must be equal to its state aid formula allocation.

SECTION 8B(4) UNALLOCATED STATE AID

State aid funds not allocated under the formula contained in Section 8B(1) due to the lack of local appropriations as provided in Section 8B(3) shall be allocated and awarded on a competitive basis by the Department of Elder Affairs to Councils on Aging for the purpose of funding special locally determined programs of such Councils.

A local general fund contribution shall not be required for such competitive allocations.

All Councils on Aging shall be eligible to compete for such previously unallocated state aid, however preference shall be given by the Department of Elder Affairs to Councils on Aging not meeting the requirement specified in Section 8B(3)

/ HUMAN SERVICES/ELDER SERVICES

The Commonwealth of Massachusetts

062

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

AN ACT

A BILL PROPOSED BY GLADYS YONT, OF WALTHAM

AMENDING THE MASSACHUSETTS DEPARTMENT OF ELDER AFFAIRS BUDGET

IN THE AMOUNT OF TEN MILLION DOLLARS

THIS AMOUNT IS NEEDED TO FUND HOME CARE SERVICES FOR THE FISCAL YEAR.

ACCOUNT 1630 OF DEPARTMENT OF ELDER AFFAIRS BUDGET

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

IN ORDER FOR HOME CARE TO CONTINUE SERVING ELDERS FOR THE FISCAL YEAR UNDER TITLE 20 OF THE SOCIAL SECURITY FUNDING ACT, it is NECESSARY THAT FURTHER FUNDS BE ALLOCATED FOR HOME CARE SERVICES.

FEDERAL AND STATE FUNDING AMOUNTED TO FIFTY-TWO MILLION DOLLARS

WHILE THE HOME CARE ASSOCIATION OF MASSACHUSETTS ESTIMATED THAT SIXTY_TWO MILLION WAS NEEDED FOR THE FISCAL YEAR.

FUNDING IS NOW LIMITED AND THERE ARE LONG WAITING LISTS OF APPLICANTS.

IF THIS MONEY IS NOT ALLOCATED, MANY ELDERS WILL HAVE TO STAY LONGER IN HOSPITAL, WHICH WOULD ADD TO STATE COSTS. ALSO, WITHOUT HOME-MAKER SERVICES, MANY ELDERS WILL NOT BE ABLE TO STAY IN THEIR HOMES.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

HUMAN SERVICES/ELDER AFFAIRS

The Commonwealth of Massachusetts

063

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT SUPPLEMENTING THE HOME CARE PROGRAM

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION ~~X~~ 2 of Chapter 329 of the Acts of 1980 is hereby amended by striking out in Item 9110-1630 the figures $52,250,000 and inserting in place thereof the following figures: $59,150,000.

George Ryan

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

0064

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Improving the Distribution of Home Care Services to the blind, disabled, and the elderly shut-ins in having a program of seven days a week.

James P. Reedy

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY- 065

AN ACT

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

TO PROVIDE HOME CARE SERVICES FOR HOMEBOUND ELDERS

1. State wide
2. Regardless of income
3. To include all services: doctors, nurses, social and supportive.

Rep. Elizabeth Tutelian

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

HUMAN SERVICES/ELDER AFFAIRS

The Commonwealth of Massachusetts

066

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-ONE

AN ACT PROVIDING CERTAIN SECURITY PROTECTION FOR NURSING HOME RESIDENTS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter III of the General Laws, is hereby amended by inserting after Section 72E the following section:--

Section 72F. Every nursing home, rest home, or other long term care facility shall provide adequate, secure storage space for the personal property of each of the residents. The department shall promulgate regulations which shall specify the method to protect such resident's property. Such regulations shall provide that each resident shall have individual access to a personal secure area which shall not be shared by other residents, but the administrator or his/her designee of each facility shall maintain a master key to any such locked space.

Roy Knox

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

067

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT PROVIDING FOR THE PROTECTION OF A NURSING HOME RESIDENT FROM THEFT, VERBAL ABUSE AND TRANSFER WITHOUT INFORMED CONSENT

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

/ All personal items of a nursing home resident shall be duly recorded upon admission of said resident

/ As new items are acquired, these, too, shall be listed

/ Restitution shall be made to any resident whose personal property is lost through theft or carelessness.

/ Any person in the employ of the nursing home who is known to verbally abuse a resident shall be relieved of duty toward that resident.

/ Continued known verbal abuse of residents by said employee shall result in dismissal of same.

/ No resident may be transferred within the nursing home or to another nursing home without the informed consent of said resident.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary. Nona Greenwood

/ If unable to give consent, the resident's next of kin, or power of attorney shall be consulted.

The Commonwealth of Massachusetts

068

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT

ESTABLISHING THE NURSING HOME OMBUDSMAN UNIT

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

IT HAS BEEN A VERY UNHEALTHY CONDITION PREVAILING IN SOME NURSING HOMES WITH RAMPANT KNOWLEDGE OF OVERDRUGGING, LACK OF CLEANLINESS, AND INHUMAN TREATMENT OF THE PATIENTS IN THESE HOMES.

WE FEEL IT IS NESCESSARY THAT CONDITIONS SUCH AS THESE BE MONITORED BY AN OUTSIDE AGENCY HAVING NO DIRECT CONNECTION WITH THESE HOMES.

. . . .

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

063

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

ROMEO J. CYR
11TH HAMPDEN

AN ACT

To strengthen the Nursing Ombudsman Program in the Commonwealth

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

The Nursing Ombudsman Program for older people is an important and crucial service to older people placed in Nursing Homes.

SECTION 2.

Such a program shall have the right to advocate, resolve and intervene on the behalf of any older person placed in a Nursing Home.

SECTION 3.

Such a program shall have the legal authority to protect the health, welfare and safety of the person in the Nursing Home.

SECTION 4.

Rules and Regulations shall be devised to provide a means of standards of performance, grievance procedure and appeals for the Nursing Home Industry for service performance to the elderly of the Commonwealth.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

SECTION 5.

The Department of Elder Affairs shall be the responsible Department with the Department of Public Health, Department of Social Service, Department of Mental Health and the State Rate Commission supporting the efforts of the Department.

SECTION 6.

Staffing with qualified people for the purpose of ascertaining quality of care shall be required:

A) Quality standards will be performed at least quarterly, if necessary, and without notice to the Nursing Home.

The Commonwealth of Massachusetts

070

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT

INCREASING THE NUMBER OF ANNUAL ADJUSTMENTS TO STATE SUPPLEMENTARY PAYMENTS TO THE AGED AND DISABLED FROM ONE (ANNUALLY) TO TWO (SEMI-ANNUALLY).

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 2 of Chapter 118A of the General Laws is hereby amended by striking out the first sentence of the first paragraph and inserting in place thereof the following sentence: -

Effective January 1 , and July 1 of every year, the level of any state supplementary payment authorized by section one plus the level of federal supplemental security income in effect at such time shall be increased, subject to appropriation, by a percentage amount equal to the percentage rise in the United States Consumer Price Index over the level of said Index for the preceeding six months plus such additional percentage amound as is recommended semi-annually by the Department and appropriated by the General Court.

Bill submitted by:

Maurice Davis
Brookline, MA

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

071

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT TO PROVIDE SPECIAL GRANTS TO RESIDENTS OF BOARDING HOMES

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 7A of Chapter 118A of the General Laws is hereby re-enacted and amended so as to include Boarding Homes in said section, so that said section shall read as follows:

Section 7A. Special Grants to Residents of Rest Homes and Boarding Homes.

The Department may provide to any recipient under this Chapter who resides in a rest home or boarding home which has a rate established pursuant to Massachusetts General Laws, Chapter 7, a special grant whenever the aid established under this chapter is insufficient to meet said rate established for such rest home or boarding home.

The Department may pay such grant either to the recipient or to the rest home or boarding home.

James Boynton

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

072

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

AN ACT TO PROVIDE INCREASED PENSION PAYMENTS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Whenever there is an increase in payments made to individuals under the social security law all payments made under state supported pension plans shall be increased by the same percentage factor.

SECTION 2. Increases made under Section 1. of the act shall become effective ninety (90) days after the end of the State fiscal year.

Charles Chase

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

073

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

Tobias Levine 45 Will drive Canton

AN ACT

To prevent the stripping of jobless benefits, under the new law, cutting off unemployment compensation for elders, who are receving a pension in addition to Social Secuuity

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

074

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Notwithstanding any general or special law to the contrary, the department of public welfare shall increase the supplement security income of all recipients within the commonwealth by a percentage equal to the cost of living index.

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

075

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT TO ALLOW RECIPIENTS OF SOCIAL SECURITY SUPPLEMENTAL INCOME FOR THE AGED, BLIND, AND DISABLED TO BE ELIGIBLE TO RECEIVE FOOD STAMPS BENEFITS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 329 is hereby amended by inserting after section 98-101 the following: Recipients of Social Security Supplemental Income shall be considered eligible for food stamps no later than March 1, 1981.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

076

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT TO ABOLISH AND PROHIBIT ANY LAW, RULE OR REGULATON RESTRICTING THE PROVISION OF NON-INSTITUTIONAL SERVICES TO ANY PERSON 65 AND OVER.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

TO ABOLISH AND PROHIBIT ANY LAW, RULE OR REGULATION OF THE COMMONWEALTH OF MASSACHUSETTS RELATIVE TO ABSOLUTE INCOME OR RESOURCE LIMITATIONS RESTRICTING THE PROVISION OF NON-INSTITUTIONAL SERVICES TO ANY PERSON WHO HAS REACHED HIS SIXTY-FIFTH BIRTHDAY, AND TO SUBSTITUTE THEREFOR A SLIDING SCALE OF PAYMENT FOR SUCH SERVICES BASED UPON ACCEPTED STANDARDS OF ABILITY TO PAY.

Mary Swanson

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

077

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-ONE

AN ACT RELATIVE TO THE APPOINTMENT OF GUARDIANS AND CONSERVATORS OF ADULTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The first sentence of section 6 of chapter 201 of the General Laws is hereby amended by striking out the words "incapable of taking care of himself by reason of mental illness, it shall appoint a guardian of his person and estate" and inserting in place thereof the following words: — mentally ill to the degree that he is incapable of making informed decisions with respect to the conduct of his personal and financial affairs, that failure to appoint a guardian would create an unreasonable risk to his health, welfare and property, and that the appointment of a conservator would not eliminate such risk, it shall appoint a guardian of his person and estate.

SECTION 2. Section 6 of said chapter 201 is hereby amended by inserting after the first sentence the following sentences: — A decision by the proposed ward to refuse services or treatment shall not constitute evidence of incapacity if the decision is based on an understanding of the consequences of that decision. The petition shall specifically describe the proposed areas of responsibility of the guardian or shall describe any proposed limitations to the general powers of the guardian. Responsibility or power to act on behalf of the proposed ward shall be granted to the guardian only with respect to an area where the proposed ward is incapable of making informed decisions. The court shall appoint a guardian only after a guardian ad litem appointed by the court has made an investigation

Paul J Hughes

ry.

and reported in writing to the court pursuant to section 7A of this chapter. The court may waive appointment of a guardian ad litem if, after interviewing the proposed ward, the court determines such appointment to be unnecessary.

SECTION 3. The sentence beginning "No guardian so appointed" in section 6 of said chapter 201 is hereby amended by inserting after the word "facility" the following words: — or to a chronic care facility or the authority to consent to sterlization or psychosurgery.

Said sentence of section 6 is hereby further amended by inserting after the word "commitment" the following words: — or sterilization or psychosurgery.

SECTION 4. The sentence beginning "The court shall not authorize such" in section 6 of said chapter 201 is hereby amended by striking out the word "indigent," and adding at the end of the sentence the following words: — who is without counsel, and reasonable attorney fees shall be paid by the Commonwealth if such mentally ill person is indigent.

SECTION 5. Section 6A of said chapter 201 is hereby amended by inserting after the third sentence the following sentences: —

A decision by the proposed ward to refuse services or treatment shall not constitute evidence of incapacity if the decision is based on an understanding of the consequences of that decision. The petition shall specifically describe the proposed areas of responsibility of the guardian or shall describe any proposed limitations to the general powers of the guardian. No responsibility or power to act on behalf of the proposed ward shall be granted to the guardian with respect to any area where the proposed ward is capable of making informed decisions. The court shall appoint a guardian only after a guardian ad litem appointed by the court has made an investigation and reported in writing to the court pursuant to section 7A of this chapter. The court may waive appointment of a guardian ad litem if, after interviewing the proposed ward, the court determines such appointment to be unnecessary.

SECTION 6. The sentence beginning "No guardian so appointed" of section 6A of said chapter 201 is hereby amended by inserting after the word "facility" the words: — or to a chronic care facility or the authority to consent to sterilization or psychosurgery.

Said sentence of section 6A is hereby further amended by inserting after the word "commitment" the following words: — or sterilization or psychosurgery.

SECTION 7. The sentence beginning "The court shall not authorize such" in section 6A of said chapter 201 is hereby amended by striking out the word "indigent" and inserting in its place the word "allegedly," and by adding at the end of the sentence the following words: — who is without counsel, and reasonable attorney fees shall be paid by the Commonwealth if such mentally retarded person is indigent.

SECTION 8. Section 7 of said chapter 201 is hereby amended by adding the following sentence: — The notice shall contain a description, in plain and simple language, of the powers and duties of the guardian as requested in the petition, the nature of the guardianship proceeding, the importance of the proposed ward responding to the petition, and the proposed ward's right to counsel.

SECTION 9. Said chapter 201 is hereby amended by adding after section 7 the following section: —

s.7AGuardian ad litem.

The guardian ad litem appointed in accordance with section 6 or section 6A of this chapter shall be a disinterested person qualified to evaluate the need for guardianship and the public and private resources which may alleviate such need. The report of the guardian ad litem shall include an evaluation of available less restrictive alternatives to guardianship, including available services and programs, and shall include a specific plan for limiting the guardian's powers in a manner that least restricts the rights and liberties of the proposed ward. The report shall also evaluate the proposed ward's need to be represented by counsel. The guardian ad litem need not be an attorney and may be an employee of a public or private human

services agency. Reasonable compensation for the guardian ad litem shall be paid for out of the proposed ward's estate, or by the Commonwealth to the extent the estate is not able to afford such compensation. A guardian ad litem appointed pursuant to section 6 or 6A of this chapter is not a guardian ad litem with authority to represent the ward's or the proposed ward's interests within the meaning of section 34 of this chapter, unless the court so specifies pursuant to its appointment of the guardian ad litem.

SECTION 10. Section 12 of said chapter 201 is hereby amended by striking out the words "care and custody of the person of his ward" and inserting in its place the following words: — the powers and duties described in the order of the court.

Said section is further amended by striking out "and the management of all his estate".

SECTION 11. The first sentence of section 13 of said chapter 201 is hereby amended by inserting after the word "discharged" the following words: — or the powers of the guardian may be extended or limited.

Said first sentence of section 13 is hereby further amended by inserting after the word "necessary" as it first appears in said section 13 the following words: — or that the powers of the guardian are not sufficient or are not necessary.

SECTION 12. Section 14 of said chapter 201 is hereby amended by inserting after the first sentence the following sentences: —

The petition shall specifically describe the proposed areas of responsibility of the temporary guardian or shall describe any proposed limitations to the general powers of the temporary guardian. No responsibility or power to act on behalf of the proposed ward shall be granted to the temporary guardian with respect to any area where the proposed ward is capable of making informed decisions.

SECTION 13. The third sentence of section 14 of said chapter 201 is hereby amended by inserting after the word "facility" the following words: — or to a chronic care facility or

the authority to consent to sterilization or psychosurgery.

Said sentence of section 14 is hereby further amended by inserting after the word "commitment" the following words: — or sterilization or psychosurgery.

SECTION 14. The fourth sentence of section 14 of said chapter 201 is hereby amended by striking out the words "indigent person" and inserting in their place the following words: — person without counsel who is.

SECTION 15. Section 14 of said chapter 201 is hereby further amended by adding after the fourth sentence the following sentence: — Reasonable attorney fees shall be paid by the Commonwealth if such person is indigent.

SECTION 16. The first sentence of section 15 of said chapter 201 is amended by striking out the words "same powers and duties relative to the person and estate of the ward as permanent guardians" and inserting in its place the following words: — the powers and duties described in the order of the court.

SECTION 17. Section 16 of said chapter 201 is hereby amended by striking out the words "unable to properly care for his property" as it first appears and inserting in its place the following words: — incapable of making informed decisions with respect to the conduct of his financial affairs and failure to appoint a conservator would create an unreasonable risk to his property.

SECTION 18. Said section 16 of chapter 201 is hereby further amended by striking out the word "if" as it last appears and by striking out the words "it appears that such person is incapable of properly caring for his property."

SECTION 19. Said section 16 of chapter 201 is hereby further amended by adding the following sentences — The petition shall specifically describe the proposed areas of responsibility of the conservator or shall describe any proposed limitations to the general powers of the conservator. No responsibility or power to act on behalf of the proposed ward shall be granted to the conservator with respect to any area

where the proposed ward is capable of making informed decisions unless the proposed ward is the petitioner or assents in writing to the petition. The court shall appoint a conservator only after a guardian ad litem appointed by the court has made an investigation and reported in writing to the court pursuant to section 17A of this chapter. The court may waive appointment of a guardian ad litem if, after interviewing the proposed ward, the court determines such appointment to be unnecessary.

SECTION 20. Section 16B of said chapter 201 is hereby amended by striking out the last sentence and inserting in place thereof the following sentences: —

The petition shall specifically describe the proposed areas of responsibility of the conservator or shall describe any proposed limitations to the general powers of the conservator. No responsibility or power to act on behalf of the proposed ward shall be granted to the conservator with respect to any area where the proposed ward is capable of making informed decisions unless the proposed ward is the petitioner or assents in writing to the petition. The court shall appoint a conservator only after a guardian ad litem appointed by the court has made an investigation and reported in writing to the court pursuant to section 17A of this chapter. The court may waive appointment of a guardian ad litem if, after interviewing the proposed ward, the court determines such appointment to be unnecessary.

SECTION 21. Section 17 of said chapter 201 is hereby amended by inserting after the second sentence the following sentence: —

The notice shall contain a description, in plain and simple language, of the powers and duties of the conservator as requested in the petition, the nature of the conservatorship proceeding, the importance of the proposed ward responding to the petition, and the proposed ward's right to counsel.

SECTION 22. Said chapter 201 is hereby amended by adding after section 17 the following section: —

s.17A Guardian ad litem.

The guardian ad litem appointed in accordance with section 16 or section 16B of this chapter shall be a distinterested person qualified to evaluate the need for conservatorship and the public and private resources which may alleviate such need. The report of the guardian ad litem shall include an evaluation of available less restrictive alternatives to conservatorship including available services and programs, and shall include a specific plan for limiting the conservator's powers in a manner that least restricts the rights and liberties of the proposed ward. The report shall also evaluate the proposed ward's need to be represented by counsel. However, in the event that the proposed ward is the petitioner or assents in writing to the petition, the report of the guardian ad litem shall be limited to an evaluation of whether the proposed ward understands the consequences of conservatorship and voluntarily assents to it. The guardian ad litem need not be an attorney and may be an employee of a public or private human services agency. Reasonable compensation for the guardian ad litem shall be paid for out of the proposed ward's estate, or by the Commonwealth to the extent the estate is not able to afford such compensation.

SECTION 23. Section 20 of said chapter 201 is hereby further amended by striking out the words "as provided in section 16B" and inserting in its place the following words: — insofar as the order of the court limits the powers and duties of the conservator.

SECTION 24. Section 21 of said chapter 201 is hereby amended by inserting after the first sentence the following sentences: —

The petition shall specifically describe the proposed areas of responsibility of the conservator or shall describe any proposed limitations to the general powers of the conservator. Responsibility or power to act on behalf of the proposed ward shall be granted to the conservator only with respect to an area where the proposed ward is incapable of making informed decisions unless the proposed ward is the petitioner or assents in writing to the petition.

SECTION 25. Said section 21 of chapter 201 is hereby fur-

ther amended by inserting in the second sentence after "permanent conservator" as it first appeared the following: — except as said powers and duties may be limited by the order of the court.

SECTION 26. Said chapter 201 is hereby amended by adding after section 50 the following section: —

s.51 Compensation of guardian, conservator, and counsel. Reasonable compensation for the guardian, the conservator or the ward's counsel shall be paid for out of the ward's estate, or by the Commonwealth to the extent the estate is not able to afford such compensation.

SECTION 27. Section 2 of chapter 206 of the General Laws is hereby amended by adding the following sentences: — A guardian or conservator shall state in his accounts the ward's present status of physical and mental health, the date on which the guardian or conservator most recently visited the ward, and with respect to a guardian a summary of all actions taken on behalf of the ward. A copy of the account of a guardian or conservator shall be sent to the ward, to the ward's counsel, to each person or agency entitled to notice of the petition pursuant to chapter 201 and to any other person or agency designated by the court.

The Commonwealth of Massachusetts

078

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT AMENDING LEGISLATION PERTAINING TO PROVISION OF SERVICES TO OLDER CITIZNES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 118A of the General Laws is hereby amended by the addition to Sections 16, 17 and 18 the following paragraph:

"No nursing services, physical therapy and related services, home health care services, or other home services otherwise available, shall be denied any person for reasons of economic eligibility. A schedule of charges shall be established to reflect ability to pay none, some, or all of the costs of such services, not to exceed 125% of such costs.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

073

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT RELATIVE TO A SPECIAL COMMUNICATION SYSTEM FOR THE ELDERLY OF THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 19A, under the Department of Elderly Affairs to be amended by Chapter 19A, paragraph 14, as follows:

Any agency providing direct services to Senior Citizens and receiving State funds to do so will be required to implement or join, if already in existence, a viable network of communication that will allow for daily contact with seniors in the agency's designated area(s), particularly those Senior Citizens living alone. The Network would be designated the "Senior Connection" and provide for eliminating Senior Citizen isolation.

William Bagwell

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

080

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT AUTHORIZING THE DEPARTMENT OF ELDER AFFAIRS TO ESTABLISH A CONGREGATE HOUSING SUPPORTIVE SERVICES PROGRAM

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Chapter 19A, as introduced by St. 1973, c. 1168 is hereby amended by adding after the present section 11, the following new sectins:

Section 11A. The following words and phrases, whenever used in this section, or section eleven B of this chapter, unless the context clearly requires otherwise, shall have the following meanings:

"Congregate housing," a non-institutional residential shared living environment which provides shelter and supportive services to eligible elders.

"Eligible elder," a person who meets the income and need eligibility requirements to receive supportive services in congregate housing pursuant to regulatins adopted by the department.

"Supportive services," one or more social services which, when provided, shall enable an eligible elder resident of congregate housing to maintain an independent life style in a congregate living environment. These services may include, but not be limited to meal, homemaker, chore, home health, personal care and transportation services.

"Supportive service sponsor," a partnership, limited partnership, or corporation organized under the laws of the commonwealth whether non-profit, limited profit or organized for profit, agency of federal, state or municipal government, or body politic

Kenneth J Kelley

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

and corporate in the commonwealth which contracts with the department to coordinate and directly or indirectly provide supportive services to eligible elders who are or shall be residents of congregate housing.

Section 11B. The department, subject to appropriation, shall develop and implement a program of supportive services for eligible elders who are or will be residents of congregate housing in the commonwealth. The department shall adopt regulations establishing criteria for the administration of the program including but not limited to the criteria for evaluating proposals submitted by prospective supportive services sponsors, the eligibility of elders for the program, and the identification and method of provision of supportive services. The department may enter into such contracts as are necessary and appropriate to develop and implement this program. Neither the provisions of this section nor section eleven A of this chapter shall be interpreted to reduce, limit or in any way curtail the authority of the Department of Community Affairs to provide facilities for congregate living pursuant to sections thirty-nine and forty of chapter one hundred twenty one B of the General Laws.

The Commonwealth of Massachusetts

081

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

August Enbinder

AN ACT TO establish a law that will make it mandatory that all commissions within the Commonwealth of Massachusetts have a senior citizen representative:

1. It will be the duty of the silver haired legislature to appoint these senior citizen representatives.

2. It shall be the duty of the senior citizen representatives to report to the Silver Haired Legislature all actions and information concerning senior citizens

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

082

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT

ESTABLISHING A TWENTY-FOUR HOUR PHONE SERVICE FOR THE ELDERLY OF THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The department of elder affairs is hereby authorized and directed to establish a twenty-four hour toll free phone service to assist residents of the commonwealth who have attained the age of sixty years with the problems of the aging process. Said program shall include the training of personnel to man said phones and an outreach and public education component to inform people of the existence of said program.

Mary O'Brien

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

083

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

AN ACT TO AMEND 651 CMR 4:00-4:12.

REGULATIONS GOVERNING THE STATE FUNDED NUTRITION PROGRAM FOR ELDERLY PERSONS.

NAME OF REGULATING AGENCY: DEPARTMENT OF ELDER AFFAIRS.

THE INTENT OF THE AMENDMENT IS TO INSURE THE CONTINUATION OF STATE FUNDED ELDERLY NUTRITION PROGRAMS AND FEDERALLY FUNDED OLDER AMERICAN ACT IIIC NUTRITION PROGRAMS AT EXISTING LEVELS OF AVERAGE DAILY PARTICIPATION PRIOR TO EXPANSION OF THE STATE FUNDED ELDERLY NUTRITION FOR ELDERLY PERSONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

ADD 4:13 NEW STATE FUNDED NUTRITION PROGRAM FOR ELDERLY PERSONS WILL BE IMPLEMENTED AND EXISTING STATE FUNDED NUTRITION PROGRAMS FOR ELDERLY PERSONS WILL BE EXPANDED ONLY, AFTER IT HAS BEEN DETERMINED BY THE DEPARTMENT OF ELDER AFFAIRS.

(a) THE 1980 STATE FUNDED NUTRITION PROGRAM FOR ELDERLY PERSONS AVERAGE DAILY PARTICIPATION IS IN FORCE.

(b) THE 1980 FEDERALLY FUNDED OLDER AMERICAN ACT IIIC AVERAGE DAILY PARTICIPATION FOR THE STATE OF MASSACHUSETTS IS IN FORCE.

Elton Kullman

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

084

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT TO AMEND 651 CMR 4:00-4:12.

REGULATIONS GOVERNING THE STATE FUNDED NUTRITION PROGRAM FOR ELDERLY PERSONS.

NAME OF REGULATING AGENCY: DEPARTMENT OF ELDER AFFAIRS.

THE INTENT OF THE AMENDMENT IS TO INSURE THE CONTINUATION OF STATE FUNDED ELDERLY NUTRITION PROGRAMS AND FEDERALLY FUNDED OLDER AMERICAN ACT IIIC NUTRITION PROGRAMS AT EXISTING LEVELS OF AVERAGE DAILY PARTICIPATION PRIOR TO EXPANSION OF THE STATE FUNDED ELDERLY NUTRITION FOR ELDERLY PERSONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

ADD 4:13 NEW STATE FUNDED NUTRITION PROGRAM FOR ELDERLY PERSONS WILL BE IMPLEMENTED AND EXISTING STATE FUNDED NUTRITION PROGRAMS FOR ELDERLY PERSONS WILL BE EXPANDED ONLY, AFTER IT HAS BEEN DETERMINED BY THE DEPARTMENT OF ELDER AFFAIRS.

(a) THE 1980 STATE FUNDED NUTRITION PROGRAM FOR ELDERLY PERSONS AVERAGE DAILY PARTICIPATION IS IN FORCE.

(b) THE 1980 FEDERALLY FUNDED OLDER AMERICAN ACT IIIC AVERAGE DAILY PARTICIPATION FOR THE STATE OF MASSACHUSETTS IS IN FORCE.

Charles D. Green

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

HUMAN SERVICES/ELDER AFFAIRS

The Commonwealth of Massachusetts

085

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEXRXXX EIGHTY

AN ACT PROVIDING MEALS FOR THE ELDERLY, WHICH SOME OF THE SMALL TOWNS SEEM TO BE LEFT OUT OF AT THIS TIME.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Ernestine E. Jalonen

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

086

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

AN ACT

to amend the Agricultural law, in relation to providing certain foods for the Elderly and improving nutrition assistance.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Chapter #--- of the General Laws is hereby amended by adding after Section #--- the followingSection:

The State Department of Agriculture shall provide milk, fresh fruit juice, cereal, eggs, and other available nutritional food for individuals who are over sixty years of age. This food program shall be administered with dignity and distribution to the recipients by coupon.

This Act shall take effect immediately.

Elizabeth I. Jones

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

087

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT

To establish the meals, van service, and meals on wheels for the elderly, on a permanent basis.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

The government has given countless elderly Eutopia at the elderly housing. However, it is also paramount to the elderly, to continue this program.

It gives us sustenance, companionship, recreation and varied programs, that put a spark in our otherwise bleak existence. We have earned this respite.

Why wait to reproach yourself when loved ones go, knowing full well that the almighty dollar has won a battle against spiritual righteousness?

Father time takes his toll on humans, leaving us with limited elasticity and countless ills, making it essential to have van service.

We therefore ask your indulgence to continue this program at it's present level.

Sarah Renault

Sarah Renault
17th Dist (Worcester)

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

088

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-

AN ACT

REQUIRING MORE UNITS FOR FEEDING THE ELDERLY IN THEIR HOMES OR IN A CENTER WHERE THEY WOULD BE WITH PEOPLE OF THEIR OWN AGE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

HAVING ONLY ONE PLACE THAT THEY ARE HELPED WITH FEDERAL FUNDS DOES NOT ENABLE OTHERS THAT ARE ON THE WAITING LIST OF HAVING A BALANCED MEAL AND HAVE SOME RECREATION WITH THE ELDERLY.

Beatrice Beauregard

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

089

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT TO ALLOW FAMILIES CARING FOR THEIR OWN ELDERLY WHO HAVE BECOME CHRONICALLY ILL OR EXCESSIVELY FRAIL DUE TO ADVANCING AGE TO BECOME PARTICIPANTS IN THE ADULT FOSTER CARE PROGRAM AND TO PROVIDE ONGOING OR OCCASIONAL RESPITE TO PERSONS CARING FOR THE FRAIL AND ILL ELDERLY IN THEIR OWN HOMES SO AS TO PREVENT PREMATURE INSTITUTIONALIZATION OF THE ELDER DUE TO BURNOUT OF THE CAREGIVER.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Direct the Department of Elder Affairs and the Department of Public Welfare to change the current Adult Foster Care Program regulations to allow relatives to be host families in the Foster Care Program.

SECTION 2. To enact legislation that would do the following:

1. Direct the Department of Elder Affairs to:
   a) allow Home care Corporations to contract with vendors to provide in-home respite or short-term foster care (out-of-home respite) for persons caring for frail or ill elderly.
   b) draw up guidelines for Respite Workers that would allow them to give the same level of care as foster families in the Foster Care Program (the same level as a home health aid) and direct the Home Care Corporations to hire a nurse or contract with Visiting Nurse Associations to supervise the respite workers.
2. Direct the Department of Public Welfare, Medicaid Division to pay for in-home respite care or respite care given in a short-term foster home up to an amount at least equal to that which they fund for Host families in the Adult Foster Care Program and, when needed, up to a maximum level equal to the maximum amount they will fund a month for Audlt Day Care.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

090

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY ~~SEVENTY~~.

AN ACT

TO PROVIDE RESPITE CARE

Sponsored by Representative Louise M. McGee, 113 Wheelock Avenue
Millbury, 7th Worcester District

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Funding necessary to train people, who, for a stipend, would give companionship care to people, who, because of advancing age, being bedridden, or confined to wheelchairs, are homebound, unable to leave their homes without assistance. Respite care would provide twenty (20) hours per month, and help enable individuals to remain in their own familiar surroundings as long as possible.

We ask for the "rite of passage" from this life to the next, with dignity.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

091

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT

PROVIDING A FINE TO PERSONS WHO PARK THEIR VEHICLE IN A HANDICAPPED PARKING AREA.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. SECTION 22B, CHAPTER 40 OF THE GENERAL LAWS IS HEREBY AMENDED BY ADDING AFTER PARAGRAPH 2 THE FOLLOWING PARAGRAPH.

LOCAL POLICE DEPARTMENTS TO HAVE AUTHORITY TO ENTER UPON PRIVATE PROPERTY AND TICKET ANY AUTOMOBILE PARKED IN A RESERVED HANDICAPPED PARKING SPACE.

THE FINE WOULD BE WHATEVER THE FINE IS IN WHATEVER CITY OR TOWN NOW IMPOSES ON ANYONE PARKED ON A CITY STREET RESERVED FOR THE HANDICAPPED PARKING AREA.

George W. Flanagan

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

COMMITTEE ON WAYS AND MEANS

CONSIDERS ALL MATTERS OF TAXATION, INCOME TAX, LICENSING FEES, ETC.

WAYS AND MEANS

The Commonwealth of Massachusetts

H. 092

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT, directing all Massachusetts cities and towns to exempt certain qualified residents from the school budget portion of their property tax.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

The school budget tax, which is the largest portion of the property tax, should not be paid by certain qualified residents, aged 65 or over, who have lived at least twenty years in the same town or city where the property is located. Such qualified residents shall have a maximum gross annual income of $15,000. This tax exemption would only apply to their primary personal residence.

All cities and towns in the Commonwealth of Massachusetts are directed to exempt citizens who qualify under this act from paying the school portion of their property tax.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

The Commonwealth of Massachusetts

093

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT to reduce that part of the property tax applied to educational purposes against certain property owners by 25%.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. A tax on property to be applied to educational purposes shall be reduced by 25% when the property owner, or, if jointly owned, either spouse is 65 years of age on January 1st in the year in which the tax is levied, and if the property on which the tax is levied shall have been the principal residence for a period of not less than ten years prior to the date of levy and if the owner or a spouse has lived in Massachusetts for the preceding fifteen years.

ARTHUR E. ROSS

Arthur E. Ross

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

The Commonwealth of Massachusetts 094

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT

AN ACT TO PROVIDE TAX RELIEF TO LOW AND MODERATE INCOME HOMEOWNERS OVER AGE SIXTY FIVE YEARS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Section 5 of chapter 59 of the General Laws is hereby amended by inserting after clause forty one A the following:- Forty one B. Real estate of a person of sixty five years or over and occupied by that person as a domicile for twenty years,or of a person who owns the same jointly with a spouse either of whom is sixty five years or over and occupied as their domicile, be exempt from that portion of the real estate tax that is allocated as the "school tax"; provided that the above exemption shall not apply to any of the above persons who have children in the public schools.

AND

Clause(1) of subdivision (b) of subsection B of section 3 of chapter 62 of General Laws is amended by inserting after sub-clause C the following:

(D) a total exemption of income tax if the taxpayer is sixty five years of age before the end of the taxable year and if the said taxpayer had in the preceding year an income of less than $10.000. from unearned income;and if filing with a spouse,unearned income of less than $15,000.

Rose MacKenzie

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

The Commonwealth of Massachusetts 096

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEXENTY~~ EIGHTY

AN ACT

Increasing the amount property owners over 70 may earn and still be eligible for an abatement on their property.

John F. Drummey
36th M'Sex Dist.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Change the present formula from $6000 for a single and $7500 for a married couple, to, $10,000 for a single person owner and $15,000 for a married couple owning their respective homes.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

The Commonwealth of Massachusetts

097

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT TO AMEND CHAPTER 59, SECTION 5, CLAUSE forty-first, RELATING TO THE ABATEMENT OF REAL PROPERTY TAXES OF PERSONS SEVENTY YEARS OR OVER.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 5, Chapter 59, CLAUSE 41st, shall be amended as indicated below:

Forty-first, Real property, to the amount of five thousand dollars valuation or the sum of five hundred dollars, whichever would result in an abatement of the greater amount of taxes due, of a person seventy years of age or over and occupied by him as his domicile, or of a person who owns the same jointly with his spouse, either of whom is seventy years of age or over, and occupied by them as their domicile, or of a person seventy years of age or over who owns the same jointly or as a tenant in common with a person not his spouse and occupied by him as his domicile; provided, (A) that such person (1) has been domiciled in the commonwealth for the preceding ten years, (2) has so owned and occupied as his domicile such real property or other real property in the commonwealth for five years, or (3) is a surviving spouse who inherits such real property and has occupied such real property or other real property in the commonwealth as his or her domicile for five years and who otherwise qualifies under this clause; (B) that such person had, in the preceding year, gross receipts from all sources whatsoever of less than nine thousand dollars or, if married, combined gross receipts with his spouse of less than ten thousand dollars, provided, however, that in computing the gross receipts of an applicant under this clause ordinary business expenses and losses may be deducted, but not personal or family expenses; and (C) that such person had a whole estate, real and personal, not in excess of sixty thousand dollars or, if married, a combined total estate,

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real and personal, not in excess of seventy-five thousand dollars, exclusive of household furnishings and property already exempt under the twelfth, twentieth, twenty-first and thirty-fifth clauses of this section. In the case of real estate owned by a person jointly or as a tenant in common with a person not his spouse, the amount of his exemption under this clause shall be that proportion of five thousand dollars valuation or the sum of three hundred and fifty dollars, whichever would result in an abatement of the greater amount of taxes due, which the amount of his interest in such property bears to the whole tax due; provided that no exemption shall be granted to any joint tenant or tenant in common unless the gross receipts from all sources whatsoever of each joint tenant or tenant in common is less than nine thousand dollars or, if married, the combined gross receipts from all sources whatsoever of each joint tenant or tenant in common and his spouse is less than ten thousand dollars and unless the combined whole estate, real and personal, or each joint tenant or tenant in common is less that sixty thousand dollars or, if married, the combined whole estate, real and personal, of each joint tenant or tenant in common and his spouse does not exceed seventy five thousand dollars; and provided, further, that no proportion of the exemption shall be denied to any applicant otherwise qualified for the reason that another joint tenant or tenant in common receives a proportion of the total exemption. In determining the total period ownership of an applicant for exemption under this clause, the time during which the same property was owned by a husband or wife individually shall be added to the period during which such property was owned by said husband and wife jointly. Where a portion of the real property occupied as a domicile of an applicant under this clause is located within a municipality other than the municipality in which the applicant is domiciled, and where the value of said property, or the taxes, assessed by the municipality in which such applicant is domiciled would result in his receiving less than the maximum exemption provided by this clause, that part of the property of such applicant within such other municipality shall be exempt to a value, or to an amount of tax, sufficient to grant the applicant the total maximum exemption provided by the clause. Any person who receives an exemption under the provisions of this clause shall not receive an exemption on the same property under any other provision of this section except clause Eighteen.

There shall be deducted from the total amount received by the applicant under the federal social security or railroad retirement and from any annuity, pension or retirement plan established for employees of the United States government, the government of the commonwealth, or the government of any city, town, county or special district, included in an applicant's gross receipts, an amount equivalent to the total payment payable under said federal social security law or any of the aforesaid pension systems.

The Commonwealth of Massachusetts

098

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

Winnifred L. Hinds

AN ACT To prevent the unnecessary taxation of citizens sixty-five and older.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. It is unfair that citizens sixty-five and older
2. bear the cost of school systems when they no
3. longer have children in school
4. People cannot manage to eat properly on fixed
5. incomes let alone to have a tax added to cut
6. further into what they might have for necessities
7. The little they have in their savings for
8. emergencies should not be further taxed.

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

The Commonwealth of Massachusetts 099

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT PROVIDING FOR REAL PROPERTY TAX EXEMPTIONS FOR CERTAIN MINORS, WIDOWS AND WIDOWERS, AND PERSONS SEVENTY YEARS OF AGE AND OVER

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 5 of chapter 59 of the General Laws is hereby amended by striking out the seventeenth clause, as most recently amended by section 1 of chapter 696 of the acts of 1973, and inserting in place thereof the following clause: -

Seventeenth. Real estate of an applicant who meets the requirements of this clause, but only to the first two thousand dollars assessed vakue or that assessed value which would result in a reduction of one hundred seventy-five dollars actual taxes due, whichever would result in the greater reduction of actual taxes due.

In order to qualify, an applicant must

(1) be either

(a) a widow or widower, or

(b) an unmarried minor, one of whose parents is deceased,

provided that during the year prior to the death of the deceased

Elinor Judge

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parent, the deceased parent either was domiciled with the minor or provided more than ten percent of the support of the minor;

(2) occupy the real estate as his or her domicile as of the statute assessment date;

(3) have had gross receipts from all sources whatsoever for the calendar year preceding the statutory assessment date of less than six thousand dollars plus one thousand dollars for each minor dependent of the applicant; and,

(4) have a whole estate, including equitable interests, of less than thirty-five thousand dollars, exclusive of household furnishings and property already exempt under the twelfth, twentieth, twenty-first, or thirty-fifth clauses of this section, and exclusive of any mortgage interest held by any person other than the applicant.

In computing gross receipts within the meaning of this clause, ordinary business expenses and losses, but not personal and family expenses, may be deducted.

If the real estate to be exempted is other than a single family residential building, then only that value of so much of the real estate as is occupied by the applicant as a domicile should be exempted.

An exemption shall not be allowed for reak estate which the assessor shall determine has been conveyed to the applicant to evade taxation. An applicant aggrieved by any such determination may appeal to the county commissioners or to the appellate tax board under the provisions of section sicty-four or sicty-five respectively.

If an applicant owns real estate jointly or as a tenant in common with any other person, an exemption shall not be allowed unless each joint tenant or tenant in common meets the requirement of subdivisions (3) and (4) of this clause, and unless the value of the real estate to be exempted is less than thirty-five thousand dollars exclusive of the value of any mortgage interest held by any person other than the applicant. If such applicant qualifies for an exemption under this clause, the applicant is entitled only to that proportion of the full exemption which the amount of his interest in the real estate bears to the whole.

Where the whole estate of a qualifying applicant, as calculated under the provisions of subdivision (4) of this clause, exceeds eight thousand dollars, this exemption shall be borne by the commonwealth, and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected.

SECTION 2. Section 5 of chapter of the General Laws is hereby amended by striking out the forty-first clause, as most recently amended by section 1 of chapter 347 of the acts of 1974, and inserting in place thereof the following clause: - Forty-first. Real estate of an applicant who meets the requirements of this clause, but only to the first four thousand dollars assessed value or that assessed value which would result in a reduction of three hundred fifty dollars actual taxes due,, whichever would result in the greater reduction of actual taxes due.

In order to qualify, an applicant must

(1) either be seventy years of age or, in the case of an applicant who owns the real estate jointly or as a tenant in common with his or her spouse, be married to a person seventy years of age or over;

(2) have been domiciled in the commonwealth for the preceding ten years;

(3) either

(a) have owned and occupied real estate in the commonwealth as his or her domicile for five years, or

(b) be a surviving spouse who inherits the real estate and who has occupied such real estate or other real estate in the commonwealth as his or her domicile for five years;

(4) occupy the real estate as his or her domicile as of the statutory assessment date;

(5) have had gross receipts from all sources whatsoever for the calendar year preceding the statutory assessment date of less than six thousand dollars, or, if married, combined gross receipts with his or her spouse of less than seven thousand dollars; and

(6) have a whole estate, including equitable interests, but exclusive of household furnishings and property already exempt under the twelfth, twentieth, twenty-first, or thirty-fifth clauses of this section, of less than forty-five thousand dollars, or, if married, a combined whole estate with his or her spouse of less than fifty thousand dollars.

In computing gross receipts within the meaning of this clause, ordinary business expenses and leases, but not personal and family expenses, may be deducted. Any amount received under a qualified retirement plan may be reduced by the minimum retirement payment. For the purpose of this clause, an amount received under a qualified retirement plan shall mean an amount received under the federal Social Security Act, under the federal Railroad Retirement Act, or under any annuity, pension, or retirement plan established for employees of the United States government, the government of the commonwealth, or the government of any city, town, county or special district. For the purposes of this clause, the minimum retirement payment, which shall be determined by the state tax commission, shall be equivalent to the minimum payment then payable under the federal Social Security Act to a retired worker seventy years of age or over if the applicant is unmarried, or to a retired worker and wife, both of whom are seventy of age or over, if the applicant is married.

In determining the total period of ownership for exemption under this clause, the time during which the real estate was owned by a husband or wife indvidually shall be added to the period during which such property was owned by said husband and wife jointly.

In the case of an applicant who owns real property jointly or as a tenant in common with his or her spouse, if either spouse qualifies under the provisions of this clause, they both shall qualify.

If the real estate to be exempted is other than a single family residential building, then only that value of so much of the real estate as is occupied by the applicant as a domicile shall be exempted.

If an applicant who is a joint tenant or tenant in common qualifies under the provisions of this clause, such applicant is entitled only to that proportion of the full exemption which his interest in the real estate bears to the whole.

Where a portion of the real estate is located within a municipality other than the municipality in which the applicant is domiciled, and where the value of said property, or the taxes, as assessed by the municipality in which such applicant is domiciled would result in his receiving less than the maximum exemption provided by this clause, that part of the property of such applicant within such other municipality shall be exempt to a value, or to an amount of tax, sufficient to grant the applicant the total maximum exemption provided by the clause.

SECTION 3. If any provision of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

WAYS AND MEANS

The Commonwealth of Massachusetts

100

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT FREEZING REAL ESTATE TAXES ON CERTAIN PERSONS WHO HAVE ATTAINED THE AGE OF SEVENTY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 59 of the General Laws is hereby amended by inserting after section 19 the following section:-

SECTION 19A. No person entitled to an abatement under clause forty-one of section five shall be assessed for any property tax in any year which is greater in amount than the tax he paid on such property in the previous year.

George Keating

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The Commonwealth of Massachusetts

101

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT

REDUCING THE AGE OF PERSONS ENTITLED TO REAL ESTATE TAX ABATEMENTS FROM SEVENTY YEARS OLD TO SIXTY-FIVE YEARS OLD.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Clause Forty-first of Section 5 of Chapter 59 of the General Laws is hereby amended by striking out the words "seventieth birthday" in each place where it appears in said clause and inserting in said places the words: sixty-fifth birthday.

Section 2. This act shall take effect upon its passage.

Anna C. Gorman

Senator Anna C. Gorman
1st Worcester Middlesex
7 Maple Street
Upton, Massachusetts 01568

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WAYS AND MEANS

The Commonwealth of Massachusetts

162

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT

An Act FREEZING REAL ESTATE TAXES ON CERTAIN PERSONS WHO HAVE ATTAINED THE AGE OF SEVENTY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 59 of the General Laws is hereby amended by inserting after section 19 the following section:- SECTION 19A. No person entitled to an abatement under clause forty-one of section five shall be assessed for any property tax in any year which is greater in amount than the tax he paid on such property in the previous year.

Maude E. Balch

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The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT PROVIDING FOR REAL ESTATE TAX ABATEMENTS FOR PERSONS ATTAINING THE AGE OF 70.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 5 of chapter fifty-nine, as most recently amended by chapter 435 of the acts of 1978, is hereby further amended by striking out clause 41 and inserting in place thereof the following:

Forty-first, Real property, to the amount of four thousand dollars of the taxable valuation of real property or the sum of five hundred dollars, whichever would amount in an abatement of the greater amount of taxes due, of a person who has reached his seventieth birthday prior to the fiscal year for which an abatement is sought and occupied by said person as his domicile, or of a person who owns the same jointly with his spouse, either of whom has reached his seventieth birthday prior to the fiscal year for which an abatement is sought who owns the same jointly or as a tenant in common with a person not his spouse and occupied by him as his domicile; provided: (A) that such person (1) has been domiciled in the commonwealth for the preceding ten years (2) has so owned and occupied such real property or other real property in the commonwealth for five years, or (3) is a surviving spouse who inherits such real property and has occupied such real property or other real property in the commonwealth for five years and who otherwise qualifies under this clause. In the case of real estate owned by a person jointly or as a tenant in common with a person not his spouse, the amount of his exemption under this clause shall be that proportion of four thousand dollars valuation or the sum of five hundred dollars, whichever would result in an abatement of the greater amount of taxes due, which the amount of his interest in such property bears to the whole tax due; and provided, further, that no proportion of the exemption shall be denied to any applicant otherwise qualified for the reason that another joint tenant or tenant in common receives a proportion of the total exemption. In determining the total period of ownership of an applicant for exemption under this clause, the time during which the same

property was owned by a husband or wife individually shall be added to the period of ownership of an applicant for exemption under this clause, the time during which the same property was owned by a husband or wife individually shall be added to the period during which such property was owned by said husband and wife jointly. Where a portion of the real property occupied as a domicile of an applicant under this clause is located within a municipality other than the municipality in which the applicant is domiciled, and where the value of said property, or the taxes, assessed by the numicipality in which such applicant is domicile would result in his receiving less than the maximum exemption provided by this clause, that part of the property of such applicant within such other municipality shall be exempt to a value, or to an amount of tax, sufficient to grant the applicant the total maximum exemption proveded by the clause. Any person who receives an exemption under the provisions of this clause shall not receive an exemption on the same property under any other provisions of this section except clause Eighteen.

The Commonwealth of Massachusetts

104

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~-EIGHTY

AN ACT RELATIVE TO PROPERTY TAX EXEMPTION FOR CERTAIN PERSONS OVER SIXTY-FIVE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The forty-first clause of section 5 of chapter 59, as appearing in chapter 967 of the acts of 1977, is hereby amended by striking out the word "seventieth" in lines three, six and eight and inserting in place thereof in each instance the word "sixty-fifth" and by striking out the words "seventy years of age" and inserting in place thereof in each instance the word "sixty-fifth".

Alfred Fitzgerald
Maude E. Balch

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WAYS AND MEANS

The Commonwealth of Massachusetts

105

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT

TO ABATE ALL REAL ESTATE TAXES ASSESSED AGAINST THE PRINCIPAL RESIDENCE OF ALL PERSONS SIXTY-FIVE YEARS OF AGE AND OLDER.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section of chapter of the General Laws is hereby amended by striking out that portion of the chapter which refers to partial abatement of real estate tax and inserting in place thereof the following: all real estate taxes assessed against the principal residence of all persons sixty-five years of age and older.

Annette Cambo

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WAYS AND MEANS

The Commonwealth of Massachusetts - 106

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT CONCERNING A PROPERTY TAX ABATEMENT FOR ALL CITIZENS OF MASSACHUSETTS OVER 65 YEARS OLD REGARDLESS OF INCOME OR ASSETS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

IN RECOGNITION OF THE LIFELONG CONTRIBUTION THAT MASSACHUSETTS SENIOR CITIZENS HAVE MADE TO THEIR COMMUNITIES, AND THE STATE, IT IS REQUESTED A BILL BE ENACTED BY THE LEGISLATURE OF THE STATE OF MASSACHUSETTS EXEMPTING PROPERTY OWNERS 65 YEARS AND OLDER FROM PAYMENT OF THAT PORTION OF THEIR CITY OR TOWN PROPERTY TAX APPROPRIATED FOR THE OPERATION OF THE SCHOOL DEPARTMENT.

Harold F. Brochu

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WAYS AND MEANS

The Commonwealth of Massachusetts 107

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT

RELATIVE TO PROPERTY TAX EXEMPTION FOR SENIOR CITIZENS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Notwithstanding the provisions of any general or special law to the contrary, no person who has attained the age of sixty-five shall be liable for payment of a property tax levied upon his principal place of residence to the extent that revenue derived from said property tax is used for the operation or maintenance of public elementary or secondary education in the city or town in which said residence lies.

SECTION 2.

Said exemption shall take effect upon the attainment of age sixty-five by at least one owner of property described in Section 1 when ownership is by joint tenancy, tenancy in the entirety, or tenancy in common.

SECTION 3.

In the case of multiple unit dwellings, only that portion

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Henry A. Yrstkey

SECTION 3 Continued

of said dwelling occupied by the owner as his principal place of residence shall be eligible for the property tax exemption described in Section 1.

SECTION 4.

This act shall take effect upon its passage.

WAYS AND MEANS

The Commonwealth of Massachusetts

108

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT TO LOWER THE MINIMUM AGE AS DEFINED BY THE ELDERLY PROPERTY TAX ABATEMENT LAW

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 5, Clause 41, of Chapter 59 Of The General Laws Is Amended By Striking The Word "Seventy" And Inserting The Word "Sixty-Five" And Striking The Word "Seventieth" And Inserting The Word "Sixty-Fifth."

Section 2. To Appropriate A Sum Of Money For Reimbursement to Cities And Towns For Additional Tax Abatements Under The Provisions Of This Act.

Raymond Chace

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WAYS AND MEANS

The Commonwealth of Massachusetts

109

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT PROVIDING IMMEDIATE TAX RELIEF FOR ALL RETIRED CITIZENS LIVING WITHIN THE COMMONWEALTH OF MASSACHUSETTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Effective upon the first day of January, 1981, for all retired citizens 65 years of age or over, owning and living within their own homes, be granted tax payment relief in the following manner:

65 years old - 20% cut in their property tax

70 years old - 40% cut in their property tax

75 years old - 60% cut in their property tax

When it becomes a fact that person or persons who qualify under these conditions is/are deceased, then regardless of what becomes of said home, the above tax relief provision becomes null and void, and ceases to exist.

Mike Morgan

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WAYS AND MEANS

The Commonwealth of Massachusetts 110

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT Requesting The House of Representatives In The General Court To Approve A Request To Change The Law On Property Taxation For Senior Citizens 65 Years of Age or Older on Non Income Property. The Senior Citizens 65 Years of Age or Older Would Not Pay Property Taxes on The Monies Appropriated For Public School Budgets Only.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. I am requesting a change in the method of computing "Property Taxes" of Senior Citizens 65 year of age or older. Senior Citizens would not pay taxes on the monies approiated to operate the "Public School Systems." That Senior Citizens be granted this request on non income property only (home). Many of the elderly live in their own homes and are having a very difficult time paying their property taxes due to fixed income and constant inflation. "Social Security" does not keep up with inflation, also pensions received through Industry do not increase after date of retirement. Industrial Pensions are taxable and , therefore, reduces the actual benefit.

EDWARD SHEEHAN
19 DANIEL RD
WAKEFIELD MA 01880

22 nd Middlesex

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WAYS AND MEANS

The Commonwealth of Massachusetts 111

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT

An act providing for certain real estate tax abatement for certain persons over sixty-five years of age, disabled persons, and widows.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of section five of chapter fifty-nine of the General Laws, or any other general or special act to the contrary, any person or persons over the age of sixty-five who owned and occupied real property as a domicile for not less than ten years, shall be granted a real estate tax abatement in the form of a twenty thousand dollar valuation reduction. If such person is disabled or a widow he or she shall be granted an additional real estate abatement in the form of an eight thousand dollar valuation reduction or three hundred dollars cash, whichever is greater.

Sabina Parker

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WAYS AND MEANS

The Commonwealth of Massachusetts

112

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT FOR ACTION ON PROPERTY TAX DEFERRAL

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Persons 65 or over who have lived in the state for the preceding 10 years who have owned and occupied the residence for 5 years and who have gross receipts of less than $20,000 (whether single or combined if married) may postpone payment a portion of real estate taxes up to 50% deferral agreements.

Raymond Hubert

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WAYS AND MEANS

The Commonwealth of Massachusetts

113

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT

TO PROVIDE PERSONAL REAL ESTATE TAX RELIEF FOR THE CITIZENS, SIXTY TWO YEARS OF AGE AND OVER.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Whereas the total taxes borne by the people of the Commonwealth, and in particular the Real Estate property taxes imposed to the citizens, have become burdersome, and whereas it is necessary to impose reasonable tax limitations on the elderly citizens, I enact that the Real Estate property tax for citizens sixty two years of age and over be frozen at that specified age, " and for such other legislation in relation there to as the General Court or its committees deem expidient or advisable".

Rep. Blanca E. Merry
15 Pleasant St.
Ipswich, Mass. 01938

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The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT INCREASING PROPERTY TAX EXEMPTION FOR CERTAINPERSONS OVER SEVENTY YEARS OF AGE.

SECTION 5 ofchapter 59 of the General Laws is hereby amended by striking out clause Forty-first and inserting in place therof the following clause:-

Forty-first, Real property, to the amount of four thousand dollars valuation or the sum of five hundred dollars, whichever would amount in an abatement of the greater amount of taxes due, of a person who has reached his seventieth birthday prior to the fiscal year for whichan abatement is sought.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Occupied by said person as his domicile, or of a person who owns the same jointly with his spouse, either of whom has reached his seventieth birthdayprior to the fiscal year for which an abatement is sought who owns the same jointly or as a tenant in common with a person not his spouse and occuoied by him as his domicile; provided; (A) that such person (1) has been domiciled in the commonwealthfor the preceding ten years (2) has so owned and occupied such real property or other real property in the commonwealth for five years, or (3) is a surviving spouse who inherits such real property and has occupied such real property or other real property in the commonwealth for five years and who otherwise qualifies under this clause: (B) that such person had, in the preceding year, gross receipts from all sources of less than eight thousand dollars, or, if married, combined gross receipts with his his spouse of less than nine thousand dollars, provided, however, that in computing the gross receipts of an applicant under this

Russell Quist

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clause ordinary business expenses and losses may be deducted, but not personal or family expenses, provided, further, that there shall be deducted from the total amount so received by the applicant under the federal social security or railroad retirement and from any annuity, pension, or retirement plan established for employees of the United States government, the government of the commonwealth, or the government of any city, town, county, or special district, included in such gross receipts, an amount equivalent to the minimum payment then payable under said federal social security law, as determined by the state tax commission, to a retired worker seventy years of age or over, if the applicant is unmarried, or to a retired worker and spouse, both of whom are seventy years of age or over, if the applicant is married; and (C) that such person had a whole estate, real and personal, not in excess of twenty thousand dollars, or if married, not in excess of twenty four thousand dollars, provided that real property occupied as his domicile shall not be included in computing the whole estate except for any portion of said property which produces income, provided however that a taxpayer may, at his option, elect to include the value of his whole estate. If such real property is included in the whole estate, the value of the whole estate shall not exceed sixty thousand dollars, or if married sixty-five thousand dollars. Household furnishings and property already exempt under the twelfth, twentieth, twenty-first, and thirty-fifth clauses of this section shall not be included in computing the whole estate. In the case of real estate owned by a person jointly or as a tenant in common with a person not his spouse, the amount of his exemption under this clause shall be that proportion of four thousand dollars valuation or the sum of five hundred dollars, whichever would result in an abatement of the greater amount of taxes due, provided that no exemption shall be granted to any joint tenant or tenant in common unless the gross receipts from all sources whatsoever of each joint tenant or tenant in common is less than fourteen thousand dollars or, if married, the combined whole estate, real and personal of each joint tenant in common and his spouse does not exceed eighteen thousand dollars; and provided, further, that no proportion of the exemption

shal be denied to any applicant otherwise qualified for the reason that another joint tenant or tenant in common receives a proportion of the total exemption. In determining the total period of ownership of an applicant for exemption under this clause, the time during which the same property was owned by a husband or wife individually shall be added to the period during which such property was owned by said husband and wife jointly. Where a portion of the real property occupied as a domicile of an applicant under this clause is located within a municipality other than the municipality in which the applicant is domiciled, and where the value of said property, or the taxes, assessed by the municipalityin which such applicant is domiciled would result in his receiving less than the maxium exemption provided by this clause, that part of the property of such applicant within such other municipality shall be exempt to a value, or to an amount of tax, sufficient to grant the applicant the total maximum exemption provided by the clause. Any person who receives an exemption under the provisions of this clause shall not receive an exemption on the same property under any other provision of this section except clause Eighteen.

SECTION 2. The commonwealth, commencingin fiscalyear nineteen Hundred and eighty ONE shall annually appropriate a sum not to exceed seven million dollars for the purpose of reimbursing municipalities for taxes abated under clause forty-first of section five of chapter fifty-nine of the General Laws. The commissioner of corporations and taxation shall divide said sum by the number of clause firty-first exemptions granted in the preceding year and distribute to each city and town a pro rate share of said sum based on the number of exemptions granted in each city and town.

SECTION 3. This act shall apply to taxes levied for the fiscal year beginning July first, nineteen hundred and eighty-three and thereafter.

WAYS AND MEANS

The Commonwealth of Massachusetts

115

IN THE YEAR ONE THOUSAND NINE HUNDRED AND XXXXXXXX EIGHTY

AN ACT RELATING TO A TAX SAVING BILL FOR TAXPAYERS 70 YEARS OF AGE AND OVER.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

To eliminate the school property tax for home owners reaching the age of 70 years and over; said taxes established by the cities and towns in the Commonwealth. The taxes on the following properties would not qualify, Commercial, Industrial, Business, Apartment Houses, and absentee Landlords.

The homeowner and taxpayer who has reached the age of 70 years has fulfilled his/her obligation, towards the education of the school children in his/her community.

Raymond Bachmann

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

The Commonwealth of Massachusetts 116

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

Gladys A. Scanlon

AN ACT

Exempting persons 62 years of age and older from declaring unearned income (profit from the selling of stocks and bonds, dividends from stocks and bonds and savings account interest) on their State Income Tax. Limit $5,000.00 per year.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

Submitted by: Ralph J. Froio, Pittsfield.

WAYS AND MEANS

The Commonwealth of Massachusetts

117

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

An Act

Increasing the amount of interest in savings bank accounts exempt from income tax for persons 65 and over with medium and low incomes.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Many people 65 and over live on their social security and their interest. People 65 and over with and earned incomes of $15,000 for couple and $8,000 for singles to be exempted from tax payment on the first $800 earned in interest.

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

The Commonwealth of Massachusetts 118

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT REDUCING THE TAX ON MEAN INCOME TO 5% AT THE AGE OF 65.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 4 of Chapter 62 of the General Laws is hereby amended by:

a) striking out paragraph (a) as most recently amended by Section 41 of Chapter 684 of the Acts of 1975, and inserting in place thereof (line 4) the following paragraph:

"(a) Part A taxable income shall be taxed at the rate of (line 6) 5%, at age 65.

Bernie Lori

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

Jointly Submitted by Ralph J. Froio,

WAYS AND MEANS

The Commonwealth of Massachusetts

119

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT

Exempting from taxation a certain amount of dividens earned by elderly persons on their stocks and bonds.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Elderly persons 65 and over with annual incomes of $15,000 for couples and $8,000 for singles be allowed the first $800 earned in dividends fre from taxation.

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

The Commonwealth of Massachusetts

120

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT Increasing the Amount of Interest in Savings Banks Exempt from Income Tax for PersonsSixty-five Years of Age or Older.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Subdivision (a) of subsection B of section 3 of chapter 62 of the General Laws is hereby amended by inserting after paragraph (6) the following new section:-

(6a) If a taxpayer has attained the age of sixty-five before the close of his taxable year, interest and dividends in the amount of five hundred dollars for a single person or a married person filing a seperate return or one tousand dollars for a husband and wife filing a joint return from savings deposits, savings accounts. shares or share savings included in Part B gross income.

Lillian Joshua

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT

An Act Providing for reductions in the taxation of savings accounts of persons age sixty-five and over.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Clause (6) subdivision (a) of subsection B of section 3 of chapter 62 of the General Laws is hereby amended by inserting after the words "Part B Gross Income". the following :"A deduction from Part B income, in addition to that provided by the first sentence of this clause, of two hundred dollars on income from savings deposits, savings accounts, shares of share savings accounts for persons age sixty-five and older. For married couples age Sixty-five or older this additional deduction shall be in the amount of four hundred dollars.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

Bill Submitted by Henry Yorra, of Rockport, Massachusetts, Senator of First Essex and Middlesex, of the Silver Haired Legislature--October, 1980

The Commonwealth of Massachusetts

122

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ eighty

AN ACT amending the Tax Law of the Commonwealth of Massachusetts and Exempting from Taxation Interest Received by or Accrued to Residents.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Definition, "Resident or Inhabitant", any natural person domiciled in the Commonwealth. The word "non-resident" shall mean any natural person whose domicile is outside of the Commonwealth.

SECTION 2. Chapter 62 of the General Laws and its subsections is hereby amended as follows: Interest and dividends accrued from savings accounts, savings deposits including term and time deposits, share or share savings accounts in any savings or co-opersative bank, trust company, or credit union incorporated in or chartered by the Commonwealth ; in any national banking association, or federal credit union located in the Commonwealth, in any banking company or Morris Plan Company subject to chapter 172 A; in any savings or loan association under the supervision of the commissioner of banks; shall not be subject to taxation and not considered taxable income, or part of gross income of residents. Interest and dividends received by or accrued to non-residents shall be taxed and shall not be exempted from taxation.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

SECTION 3. "Interest" shall have the same meaning as in section 163 of the Code[1], including all amounts treated as interest by virtue of the operation of any other sections of the Code, including without limitation, sec. 483 of the Code[2], and including any amount required to be included currently in income under sections 454 or 1232 (a)(3) of the Code[3].

1. 26 U.S.C.A. (I.R.C. 1954) S 163
2. 26 U.S.C.A. (I.R.C. 1954) S 483
3. 26 U.S.C.A. (I.R.C. 1954) S 454, 1232 (a)(3)

WAYS AND MEANS

The Commonwealth of Massachusetts 123

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT ELIMINATING THE TAX ON SAVINGS ACCOUNT INTEREST FOR PERSONS AGED SIXTY-FIVE OR OVER.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Not withstanding any provisions of existing laws, persons aged sixty-five or over shall be exempt from paying state income tax on interest on savings accounts under one-hundred fifty thousand dollars.

Gustave Solomons

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

The Commonwealth of Massachusetts

124

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT

To increase the exemption amounts from income tax on bank savings accounts.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Chapter 62 - Section 3 - Paragraph A - subparagraph (h) is amended to read as follows: "Interest and dividends in the amount of five hundred dollars for a single person, or a married person filing a separate return, or one thousand dollars for a husband and wife filing a joint return from savings deposits, savings accounts, shares, or share savings accounts subject to taxation under subsection (b) of Section 4.

L Dwight Adams

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

H. 47

The Commonwealth of Massachusetts

125

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT providing the elderly aged 65 and over with a special exemption from state taxes on interest income from savings deposits in Massachusetts banks.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. State tax laws, which currently exempt $200 from state taxes if married and filing jointly and $100 if filing separately, are hereby amended by adding a special exemption for legal residents of the Commonwealth aged 65 and over.

The Special Exemption will read as follows:
SPECIAL EXEMPTION. If married and filing jointly, and with one spouse aged 65 or over, and with a joint income of $10,000 or less, there shall be no tax on interest income from savings deposits in Massachusetts banks.

If single and aged 65 or over, with an income of $7,500 or less, there shall be no tax on interest income from savings deposits in Massachusetts banks.

Joseph Sadowsky

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

The Commonwealth of Massachusetts

126

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY- ~~ONE~~

George W Flanagan
2nd Hampden

AN ACT RELATIVE TO INCOME TAX

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 2 of Chapter 62 of the General Laws, as last amended by Chapter 796 of the Acts of 1979, is amended by inserting after subsection (a) (2) (G) the following new paragraph:-

(H) Interests and dividends from savings deposits, savings accounts, shares or share savings accounts.

SECTION 2. Section 3 of Chapter 62 of the General Laws, as last amended by Chapter 409 of the Acts of 1979, is amended by striking out paragraph (6) of subsection (B)(a).

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

The Commonwealth of Massachusetts 127

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

To excempt from taxation certain interest and dividends from savings; up to $2000, for people over 65.

Anna E. Frangier

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

128

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY -

AN ACT increasing the state tax exemption for bank interest from $100 to $200 for a single person and from $200 to $400 for a married couple, and increase the present $2,000.00 personal exemption to $2100.00.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. General Laws, Chapter 62, Section (3), sub-section (B) sub-sub section(a) paragraph 6 is hereby amended by striking out the word, "one hundred", in line one and inserting in place thereof the words, "two hundred"and striking out the words, "two hundred in line two and inserting in place thereof the words, "four hundred" so as to read:

"(6) Interests and dividends in the amount of two hundred dollars for a single person or a married person filing a separate return or four hundred dollars for a husband and wife filing a joint return from savings deposits, savings accounts, shares or share savings

Ester A. Allen

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

accounts included in Part B gross income."

Section 2. General Laws, Chapter 62, Section(3), sub-section (B) sub-sub section(b) paragraph (1) is hereby amended by striking out the word,"two thousand " in line (A) and inserting in place thereof, the words"two thousand one hundred."
and further amended by striking out in line (B) the words"two thousand two hundred"and inserting in place thereof the words"two thousand three hundred "
and further amended by striking out in line (2)(A) "two thousand" and inserting in place thereof the words "two thousand one hundred"
and further amended by striking out in line six of(2) (A) the words," two thousand" and inserting in place thereof, the words "two thousand one hundred"
and further amended by striking out in paragraph (B) the words "two thousand two hundred" and inserting in place thereof the words, "two thousand three hundred"
and further amended by striking out in (3) (A) the words "One Thousand" and inserting in place thereof the words "one thousand one hundred"

so as to read:

(b) The following exemptions shall be allowable to individuals against the Part B income:

(1) In the case of a single person,

(A) a personal exemption of two thousand one hundred dollars,

(B) an additional exemption of two thousand three hundred if the taxpayer was totally blind at the close of his taxable year, and

(C) an additional exemption of seven hundred dollars if the taxpayer had attained the age of sixty-five before the close of his taxable year.

(2) In the case of a husband and wife filing a joint return,

(A) a personal exemption of two thousand one hundred dollars and and an amount not exceeding two thousand one hundred dollars, equal to the earned income included in Part B gross income of the spouse having the smaller amount of such income; and an additional exemption of seven hundred dollars for the spouse having the smaller amount of such income, provided that the total amount of such income of such spouse for the calendar year in which the taxable year of the taxpayer began did not exceed over two thousand one hundred dollars . "Earned income", as used herein, shall mean salary, wages, other employee compensation , self-employment income and any amount received as a pension or annuity to the extent includable in earned income as defined under section nine hundred and eleven(b) of the Code. In no event shall the exemptions under this subsection exceed forty-six hundred dollars.

(B) an additional exemption of two thousand three hundred for each spouse who was totally blind at the close of his taxable year,

(C) an additional exemption of seven hundred dollars for

(b) The following exemptions shall be allowable to individuals against the Part B income:

(1) In the case of a single person,

(A) a personal exemption of two thousand one hundred dollars,

(B) an additional exemption of two thousand three hundred if the taxpayer was totally blind at the close of his taxable year, and

(C) an additional exemption of seven hundred dollars if the taxpayer had attained the age of sixty-five before the close of his taxable year.

(2) In the case of a husband and wife filing a joint return,

(A) a personal exemption of two thousand one hundred dollars and and an amount not exceeding two thousand one hundred dollars, equal to the earned income included in Part B gross income of the spouse having the smaller amount of such income; and an additional exemption of seven hundred dollars for the spouse having the smaller amount of such income, provided that the total amount of such income of such spouse for the calendar year in which the taxable year of the taxpayer began did not exceed over two thousand one hundred dollars . "Earned income", as used herein, shall mean salary, wages, other employee compensation , self-employment income and any amount received as a pension or annuity to the extent includable in earned income as defined under section nine hundred and eleven(b) of the Code. In no event shall the exemptions under this subsection exceed forty-six hundred dollars.

(B) an additional exemption of two thousand three hundred for each spouse who was totally blind at the close of his taxable year,

(C) an additional exemption of seven hundred dollars for

each spouse who had attained the age of sixty-five before the close of his taxable year.

(3) In the case of a married person filing a separate return,

(A) a personal exemption of one thousand one hundred dollars,

(B) an additional exemption of two thousand three hundred dollars if the taxpayer was totally blind at the close of his taxable year, and

(C) an additional exemption of seven hundred dollars if the taxpayer had attained the age of sixty-five before the close of his taxable year.

WAYS AND MEANS

The Commonwealth of Massachusetts

129

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ Eighty

AN ACT

Petion to amend Chapter 200-A of the general Laws of Massachusetts, an act relating to abandoned property, provides that all accounts which have been inactive for seven years or more shall be turned over to the Commissioner of Corporation and Taxation.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Wheras the act fails to acknowledge the current computerized methods of banks to combinein one statement the checking and savings accounts now under their control concerning the same depositor ie: in lieu of actual savings pass books.

Be it enacted that the bank shall not turn over said savings bank funds to the Commissioner of Corporations and Taxation where the depositor is a active account of the bankand the account is receiving monthly or quarterly statements and is on a active status.

The entries on the monthly of quarterly statements rendered shall take precedent over the depositors pass book.

Hubert Sobol

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

The Commonwealth of Massachusetts 130

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT

amending the motor vehicle licence and registratio fees for individuals age 65 or older.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.
Notwithstanding the provisions of Chapter 329 of the Agts of 1980 and Chapter 572 of the Acts of 1980, Chapter 90, Section 33, Subsection 7 is amended by adding to the tenth paragraph the following; For every licence of an individual age 65 or older to operate motor vehicles or the renewal thereof, the fee shall not be more than ten dollars.

SECTION 2
Notwithstanding the provisions of Chapter 572 of the Acts of 1980, Chapter 90, Section 33 is amended to add the following For the registration by an individual age 65 or older of a motor vehicle, the shall not be more than seven dollars; amd for the issuance in connectio with the registration of any motor vehicle, at the request of the applicant, of a distinction initial plate, ten dollard; or of a particular number plate other than a distinctive initial plate, two dollars

Roy A Ashton
Representative to Silver-Haired Legislature
5 Bristol

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

131

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~ EIGHTY

AN ACT

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

EXEMPTING CURRENT INCREASE IN MOTOR VEHICLE DRIVING LICENSE FEES AND MOTOR VEHICLE REGISTRATION FEES FOR PERSONS OVER 65.

Louis Stoffel

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

132

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT amending the motor vehicle license and registration fees for individuals age 65 or older.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

Notwithstanding the provisions of Chapter 329 of the Acts of 1980 and Chapter 572 of the Acts of 1980, Chapter 90, Section 33, Subsection 7 is amended by adding to the tenth paragraph the following: For every license of an individual age 65 or older to operate motor vehicles or the renewal thereof, the fee shall not be more than ten dollars.

SECTION 2.

Notwithstanding the provisions of Chapter 572 of the Acts of 1980, Chapter 90, Section 33 is amended to add the following: For the registration by an individual age 65 or older of a motor vehicle, the fee shall not be more than seven dollars; and for the issuance in connection with the registration of any motor vehicle, at the request of the applicant, of a distinction initial plate, ten dollars; or of a particular number plate other than a distinctive initial plate, two dollars.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

133

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT PROVIDING A REDUCED LICENSE FEE FOR DRIVERS 65 YEARS OF AGE OR OLDER.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Subdivision (7) of section 33 of chpater 90 of the General Laws is hereby amended by striking out the tenth paragraph, as most recently amended by chapter 329 of the Acts of 1980, and inserting in place thereof the following paragraph: -

For every license to operate a motor vehicle or for the renewal thereof, as classified by the registrar of motor vehicles and set forth in 540 Code of Massachusetts Regulations 2.07 as follows:

For every Class I license to operate motor vehicles or for the renewal thereof, thirty dollars; for every Class 2 license to operate motor vehicles or for the renewal thereof, twenty-five dollars; for every Class 3 license for persons under 65 years of age to operate motor vehicles or for the renewal thereof, twenty dollars; for every Class 3 license for persons 65 years of age or older to operate motor vehicles or for the renewal thereof, fifteen dollars.

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

John Bloor

WAYS AND MEANS

134

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT REGULATING CERTAIN MOTOR VEHICLE FEES FOR THE ELDERLY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The second paragraph of section 33 of Chapter 90 of the General Laws is hereby amended by inserting after the first sentence, as it appears in Section 44 of Chapter 572 of the Acts of 1980, the following: - "and providing further that the fee for persons age sixty-five and over shall not exceed one-half the specified amount."

Section 2. Subdivision 7 of said section is hereby further amended by inserting after the first sentence in the tenth paragraph, as it appears in Section 44 of Chapter 572 of the Acts of 1980, the following: - "provided that the class 3 license fee for persons age sixty-five and over shall not exceed one-half the specified amount."

Edward Morrissey

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

135

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~SEVENTY~~-EIGHTY

AN ACT TO LIMIT THE AUTOMOBILE LICENSE TAX FOR SENIOR CITIZENS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. That the General Laws be amended in such a manner that the automobile license tax for senior citizens (60 years and older) be limited to the maximum of ten ($10) dollars.

Charles Norton

NOTE. – Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

The Commonwealth of Massachusetts

136

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

AN ACT

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

The recent increase in automobile drivers' licenses fees "exclude" Massachusetts residents 65 and over. Be it further provided that the drivers' licenses fees shall remain at $10.00 for Massachusetts residents 65 and over.

George Driscoll

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

WAYS AND MEANS

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY

137

AN ACT RELATIVE TO LIMITING STATE GOVERNMENT SPENDING.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Every State Department shall reduce spending by two percent (2%) from the Budget of the preceding year.

The new State Budget shall be at least two percent (2%) less than the preceding year.

Section 2. Any State Department overspending in the last fiscal year shall make an additional reduction of that amount in the next fiscal year.

Section 3. This annual limitation shall be in effect each year for six (6) years, 1981 to 1986.

Mrs. Pratt

NOTE — Use only ONE SIDE of each leaf. DOUBLE SPACE. Insert additional leaves, if necessary.

HISTORICAL
Nantucket
PFM 83-
ASSOCIATION.